Office of the Information and Privacy Commissioner

ANNUAL REPORT

2007-2008

Office of the Information and Privacy Commissioner

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COMMISSIONER'S MESSAGE

Following the proclamation of the *Freedom of Information and Protection of Privacy Act* (FOIP) in 1995, the operating model for the office was an intake process followed by mediation/investigation. Requests for review of a decision of a public body not to give access to a record or complaints about a public body's collection, use or disclosure of personal information were assigned to Portfolio Officers to try to resolve through mediation/investigation. If the Portfolio Officer could not resolve the matter, the Commissioner would hold an inquiry and issue a decision, called an "order".

In 2001, the *Health Information Act* (HIA) came into force. Again, people had the right to ask the Commissioner to review a decision of a health care custodian not to give access to their health information, and to complain about a health care custodian's collection, use or disclosure of their health information. The same process applied: mediation/investigation and, if unsuccessful, hold an inquiry and issue an order.

In 2004, the *Personal Information Protection Act* (PIPA) came into force. Once more the people of Alberta were given the right to ask the Commissioner to review whether private sector organizations were following the law. The same process applied: mediation/investigation followed by an inquiry and order by the Commissioner if necessary.

While the rate of resolution of cases by mediation/investigation remained fairly constant at about 90%, the number of requests for review and complaints was increasing. This meant that the number of cases going to inquiry also increased. The queues were getting longer at every stage of the process as the new laws came into force and Albertans exercised their rights under those laws.

CASES OPENED BY THE OFFICE:

Year	FOIP	HIA	PIPA	Case Totals	Non-Case Calls
2003-2004	280	195	11	486	---
2004-2005	304	314	188	806	3431
2005-2006	373	436	230	1039	3271
2006-2007	397	409	231	1037	3921
2007-2008	410	416	297	1123	4335

By the fiscal year 2006-2007, it was apparent that the original model was no longer serving Albertans well enough. The priority had to be getting "access reviews" and "privacy complaints" resolved more quickly.

At the same time, we had to face certain realities. Some access requests are large and complex and justifiably take longer for public bodies to process. Some issues arise in applying the laws which cannot be mediated and must go through to inquiry. Once at inquiry, the statutes and the rules of natural justice apply: procedural fairness sometimes takes time. Finally, I wanted to avoid, if I could, significantly increasing my staff or my budget to achieve our objectives.

We approached the problem on several fronts:

- An Office-wide commitment to move files through the process efficiently.
- Procedures within the Office were changed to move matters through more efficiently.
- Delegation of the power to hold an inquiry and issue an order to a number of "Adjudicators" who would independently perform that function. There are now six people, including the Commissioner, performing this function.
- Performance targets were set for Adjudicators
- Public bodies, healthcare custodians and private sector organizations would be strongly encouraged to meet the timelines in the laws. More justification would be required before time extensions would be granted.
- The Commissioner would carefully exercise his power under all three laws to refuse to investigate or hold inquiries where (i) requests or complaints were systematic, repetitious, frivolous or vexatious; (ii) the Commissioner had previously issued an order or investigation report on the matter; (iii) the only issue for the inquiry was adequacy of the search and the public body/custodian/organization provided a sworn statement satisfactorily demonstrating a thorough search; and (iv) under PIPA, other procedures existed for the parties to resolve their issues.

The results have been positive:

- In the fiscal year 2007-2008, the Office issued 81 orders, up from 53 orders in the fiscal year 2006-2007.
- At April 1, 2007, there were 58 cases awaiting disposition by inquiry and order. There now remain only four orders to be issued from this time period.
- Most orders are now being issued within 3-6 months from the date that the inquiry is held.

In the course of analyzing where the problems lay, we came to a better understanding of the timelines on the mediation/investigation side. Using statistics under FOIP as a case study:

- For fiscal 2007-2008, we closed 436 FOIP cases. Of these, 323 cases were resolved in mediation/investigation and 57 cases were resolved at inquiry with the issuance of an order.
- Of the 323 cases closed at the mediation stage: 39% of those were resolved within 90 days, 22% within 180 days and 39% took more than 181 days.
- Thus, 61% of FOIP cases that come to the Office of the Information and Privacy Commissioner are closed within 6 months.
- Of those that took more than 181 days, all were resolved within 14 months. There were several reasons for the delays: waiting for replies from public bodies; waiting for decisions from applicants and systemic problems in this Office.

Of course the Commissioner's office is positioned at the end of the process. The public bodies, health care custodians and private sector organizations play the primary role at the front of the process. How are they doing?

In the case of public bodies (FOIP), according to the 2006-2007 Alberta Government Freedom of Information & Protection of Privacy Annual Report, provincial government bodies received a total of 3308 FOIP requests and local public bodies received a total of 1401 FOIP requests.

- Provincial government bodies completed 96% of requests within 60 days (87% within 30 days and 9% between 30-60 days).
- Local public bodies completed 96% of requests within 60 days (85% within 30 days and 11% within 30-60 days).
- In the 2006-2007 year, the Office of the Information and Privacy Commissioner received approximately 20 requests for time extensions from all public bodies. This indicates that a very small percentage of FOIP requests go over the statutory timelines.

The bottom line is that the access and privacy laws of this Province work well in the majority of cases. The Office of the Information and Privacy Commissioner is striving to make the process work better for Albertans. It is not perfect: there are still delays.

There is room for improvement. Issues that concern me are:

- Sometimes public bodies withhold information based on an overly cautious application of exceptions to disclosure. There are a lot of reported decisions available. In most cases, public bodies should be able to determine whether records should be released under the Act.
- I still hear it said occasionally that some public bodies treat access requests from media or opposition politicians differently than other applicants. This is simply contrary to the intent of the law.
- Some public bodies adopt a blanket policy whereby they withhold an entire record as opposed to severing portions of a record and releasing the rest right away.
- In their response to access requests, some public bodies do not identify the specific exceptions to disclosure which are being applied. This makes it hard for the applicant to understand what is happening and difficult for my Office to review the decision-making process.
- A number of public bodies have sought to have "paramountcy" provisions which limit or restrict access to very specific information. The general provisions of the Act have proven to be very adaptable to new situations. "Carving" specific bits of information out of the Act is not only contrary to the intent of the law but makes application of the law unduly complicated. I oppose these unless it can be shown that the Act is clearly inadequate.

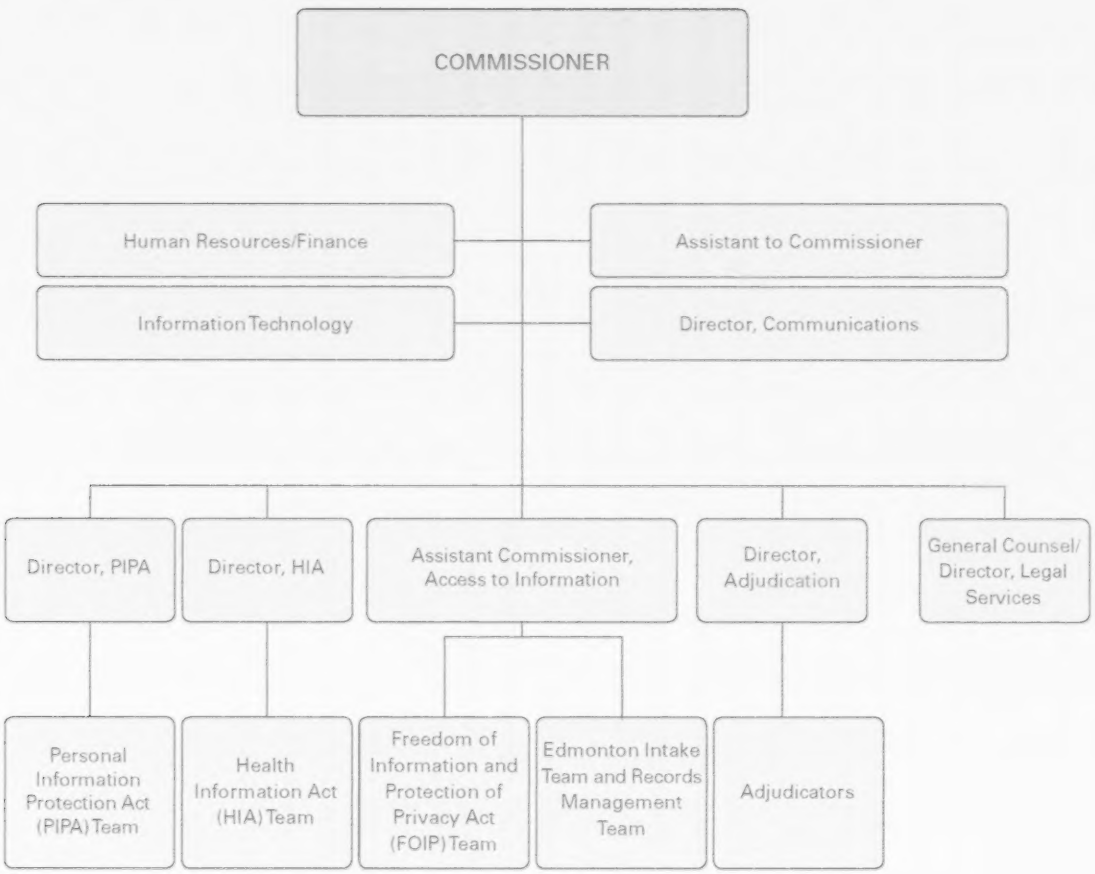
I urge public bodies to live up to the spirit and intent of freedom of information laws and to be transparent and open.

However, I am encouraged by these numbers and I am optimistic that this level of responsiveness can be sustained and improved in the coming year.

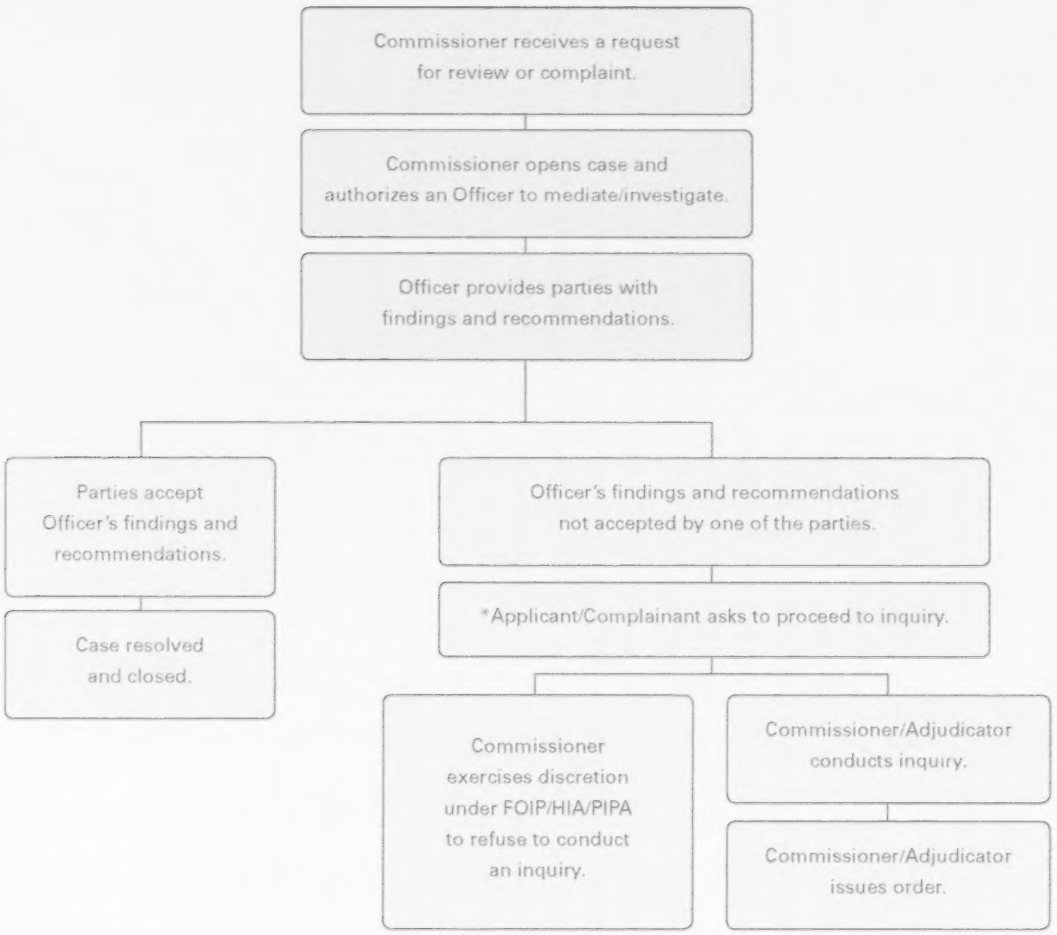
It is my perception that, since the passage of the FOIP and HIA Acts, there has grown a body of knowledgeable and dedicated professionals who are employed to administer these laws. The overall successful application of these laws is in no small part attributable to this community.

Finally, I want to express my gratitude to the people who work for the Office of the Information and Privacy Commissioner. Over the past year they were asked to make significant changes with respect to what they do and how they do it. Their willingness to do so, their ideas, and their initiatives made all the difference.

ORGANIZATIONAL STRUCTURE 2007-2008



THE PROCESS: REQUEST FOR REVIEW/COMPLAINT



* Applicant: a person who makes a request for information.
Compainant: a person who believes their personal information has been collected, used or disclosed in contravention of FOIP/HIA/PIPA.

Note: The Commissioner/Adjudicators are not involved with the request for review or compaint until the Inquiry stage.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER (OIPC) OVERVIEW

1. 2007-2008 Overview

Total Cases Opened in 2007-2008	1123
Total Cases Closed in 2007-2008	1066
Total Orders Issued in 2007-2008	81
Total Non-Case Related Calls, emails and written enquiries received in 2007-2008	4371

2. Breakdown of Cases Opened in 2007-2008 by Legislation

	FOIP	HIA	PIPA	TOTAL
Cases Opened	410	416	297	**1123**

Comments:

- Access to information requests accounts for 53% of cases opened under FOIP
- Privacy impact assessments from custodians represents 65% of cases opened under HIA
- Privacy complaints account for 68% of cases opened under PIPA.
- 69% of the FOIP cases opened and 90% of the PIPA cases opened were initiated by members of the public. 80% of HIA cases opened were initiated by health custodians.

3. Breakdown of Cases Closed in 2007-2008 by Legislation

	FOIP	HIA	PIPA	TOTAL
Cases Closed	436	346	284	**1066**

Comments:

- 714 of the 1066 cases closed could have proceeded to inquiry (breakdown: 380 FOIP cases, 56 HIA cases and 278 PIPA cases). However, mediation/investigation resolved 626 cases (or 88%), leaving 88 cases to be resolved by Commissioner's orders.
- Of the 626 cases closed at mediation/investigation:
  - 50% were resolved within 90 days;
  - 20% were resolved within 90 to 180 days; and
  - 30% were resolved more than 180 days.

4. Breakdown on Non-Case Related Calls, emails and written enquiries

FOIP	1151
HIA	588
PIPA	2445
Non-jurisdictional	187
TOTAL	**4371**

The public (individuals) made 77% of the FOIP non-case calls; 54% of HIA non-case calls and 71% of PIPA non-case calls.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (FOIP)

COMMISSIONER'S MANDATE UNDER THE FOIP ACT

The FOIP Act grants individuals a right of access to any record in the custody or under the control of a public body, subject to limited and specific exceptions. FOIP also sets out the circumstances under which a public body may collect, use or disclose personal information.

Under FOIP, individuals may ask the Commissioner to:

- review any decision, act or failure to act of the head of a public body that relates to their access request;
- review a public body's response to their request for correction of their personal information; or
- investigate a complaint that personal information has been collected, used or disclosed in contravention of FOIP.

FOIP also grants third parties a right to ask the Commissioner to review a public body's decision to release their information in response to an applicant's access request.

The Commissioner may initiate investigations on his own motion to ensure that public bodies are in compliance with FOIP.

FOIP CASES OPENED

A total of 410 cases were opened under FOIP in 2007-2008, an increase from the 397 cases opened in the previous fiscal year. As noted in the table below, there is a continuing increase of FOIP cases opened by the Commissioner's Office over the past 6 years:

Fiscal Year	FOIP Cases Opened
2002-2003	261
2003-2004	280
2004-2005	304
2005-2006	373
2006-2007	397
2007-2008	410

53% of the FOIP cases opened this year were related to access to information requests (see Table 1 pg 33).

Members of the public such as individuals, third parties, businesses, organizations, media and agents continue to be the primary users of the Commissioner's Office. 69% of the FOIP cases opened this fiscal year were initiated in response to requests or complaints by members of the public.

FOIP CASES CLOSED

A total of 436 FOIP cases were closed in 2007-2008, an increase from the 386 cases closed in the previous fiscal year.

Of the 436 FOIP cases closed, 380 (87%) of these cases could have proceeded to inquiry (cases such as privacy impact assessments cannot proceed to inquiry). However, of the 380 cases that could have proceeded to inquiry, 323 (87%) were resolved through the mediation/investigation process, leaving 57 cases to be resolved by Commissioner's Orders (see Table 2 pg 33).

TIMELINES FOR FOIP CASES CLOSED AT MEDIATION/INVESTIGATION

Of the 323 FOIP cases closed at mediation/investigation:

- 125 (39%) were resolved within 90 days;
- 70 (22%) were resolved within 91 to 180 days;
- 128 (39%) were resolved in more than 180 days.

PRIVACY IMPACT ASSESSMENTS AND PRIVACY SCANS

In 2007-2008, public bodies submitted 26 PIAs and 22 Privacy Scans (a shortened version of a PIA, previously referred to as privacy impact statements) to the Commissioner for review and comment. This is an increase from the 18 PIAs and 2 Privacy Scans submitted in the previous fiscal year.

Note: Under FOIP, it is not mandatory for public bodies to prepare or submit a Privacy Impact Assessment (PIA) to the Commissioner for review and comment.

SELF-REPORTED BREACHES

In 2007-2008, the Commissioner received 19 notifications of privacy breaches:

- 3 from provincial government ministries, boards and commissions;
- 11 from educational bodies (post-secondary, college, school boards); and
- 5 from local public bodies (municipalities, law enforcement, and health care bodies).

8 out of the 19 self-reported breaches involved the loss of computer laptops.

Note: There is no requirement under FOIP that public bodies must notify the Commissioner of a privacy breach (see Table 1 pg 33).

CONSULTATION TO PUBLIC BODIES AND TO THE PUBLIC

The Commissioner and his Office continues to provide consultation to public bodies on program initiatives and policy matters in relation to access and privacy matters.

The Commissioner's Office reviewed and provided comments on a number of proposed amendments and new legislation such as the *Animal Health Act,* the *Safer Communities and Neighborhoods Act,* the *Remediation Certificate Regulation,* the *Corrections Amendment Act* and *Correctional Institution Amendment Regulation,* the *Unclaimed Personal Property and Vested Property Regulation,* the *Security Services and Investigators Act,* and the *Tobacco Tax Amendment Regulation.*

In 2007-2008, the Commissioner's Office received 1,151 non-case related calls, emails and written enquiries in relation to the FOIP Act. 77% (891) calls were from members of the public while 23% (260) were from public bodies (see Graph 4 pg 38).

OIPC AS A PUBLIC BODY

The Commissioner's Office received 2 requests for access to information under FOIP. Both requests were responded to within the 30-day time period set in FOIP. The Commissioner disclosed records responsive to one access request in their entirety. In the other access request, the records requested were not released as the records were excluded from the application of FOIP under section 4(1)(d).

The Commissioner's Office was notified that 80 boxes of medical records were abandoned with a municipality. While the investigation is concluded there remains an outstanding issue regarding custody or control of these records. In the interim, the Commissioner's Office has secured these boxes to protect the information from unauthorized access, collection, use and destruction. The Office received and responded to 4 requests in relation to these records as of March 31, 2008.

INVESTIGATION REPORT F2007-IR-005

In response to reports that the Alberta Energy Utilities Board (EUB) had hired private investigators to "spy" on landowners and individuals during proceedings for a high voltage power line at Rimbey, the Commissioner authorized an investigation on his own motion under the FOIP Act.

The investigation found that the EUB did collect personal information. As the information collected was not necessary for the proceedings and not for the purposes of law enforcement, the investigation determined that the collection was not authorized under section 33(b) or section 33(c) of FOIP.

The investigation also found that the EUB did not fulfill its obligations as required by FOIP when it employed the private investigators because it did not ensure there were safeguards in place to protect personal information against such risks as unauthorized access, collection, use disclosure or destruction.

HEALTH INFORMATION ACT (HIA)

The *Health Information Act* (HIA) regulates health information privacy and patients' right of access to their own information in Alberta. The Act applies to custodians, which includes regional health authorities, health boards, health services providers whose services are paid through the Minister of Health and Wellness and pharmacies and pharmacists, regardless of payment source.

Individuals may ask the Commissioner to review any decision made by a custodian in relation to a request to access their own health information, or a request to have their health information corrected. Any individual who believes that a custodian has collected, used or disclosed their health information in contravention of HIA may ask the Commissioner to investigate the matter.

Alberta is unique among Canadian jurisdictions in that HIA places a duty on custodians to prepare Privacy Impact Assessments (PIAs) and submit them to the Commissioner for review and comment prior to implementing a new information system or initiative that collects, uses or discloses health information or before making changes to an existing practice or information system.

HIA includes provisions to charge any person who knowingly contravenes the Act with an Offence. Fines range from $2,000 to $500,000, depending on the nature of the Offense.

PRIVACY IMPACT ASSESSMENTS

This year, the HIA team reviewed and commented on 270 Privacy Impact Assessments from custodians. This number of PIAs is down somewhat, compared to the 305 PIAs received in the last fiscal year, but consistent with previous years. One trend seen this year is an increasing complexity in PIAs, where multiple custodians participate in an initiative under a single PIA. In such cases, the privacy practices of each custodian must be examined to assess whether they have made reasonable arrangements to safeguard patient confidentiality in relation to the initiative (see Table 1 pg 33).

ACTIVE COMPLIANCE

Much of the high rate of PIA compliance in Alberta is due to our Office's active engagement with key players in the health sector. Our Office reviewed HIA compliance and plans for future projects with senior officials from health regions, boards and major provincial initiatives, including the Physician Office System Program (POSP), the Primary Care Initiative and Alberta Netcare.

The Program is a joint initiative of Alberta Health and Wellness, the Alberta Medical Association and regional Health Authorities. POSP helps Alberta physicians use technology, such as electronic medical records (EMRs), to improve work flow and patient care in their clinics. In the past, our Office contributed to the formulation of provincial requirements for privacy and information security that physicians and EMR vendors had to meet in order to participate in this program. This year, OIPC staff helped to set privacy and security standards for the next phase of POSP by participating in the committee that laid out requirements for all electronic medical vendors operating in Alberta for the next several years in a provincial Request for Proposals process.

Alberta Netcare, as mentioned in previous annual reports, is Alberta's provincial initiative to establish a patient-centred electronic health record that can be used by authorized health services providers throughout Alberta. In 2006-2007, Alberta Health and Wellness launched a major effort to have pharmacies make greater use of Alberta Netcare. Working with the Alberta Pharmacy Association, the Alberta College of Pharmacists and Alberta Health and Wellness, our Office established a PIA process for Alberta's approximately 940 pharmacies to help them submit PIAs to cover their participation in Alberta Netcare. As a result, we expect to see a substantial increase in the number of PIAs from the pharmacy sector in the next fiscal year.

2007-2008 was the year when Alberta's first wave of Primary Care Networks finished submitting PIAs for review by our Office. A Primary Care Network (PCN) is a formal arrangement between a group of family doctors and their health region to jointly provide comprehensive primary health services to patients. Our Office will continue to review PIAs that establish new PCNs, as well as those from existing PCNs that pertain to new information-sharing initiatives. These are examples of complex PIAs, as mentioned above. Many PCN PIAs include between 50-60 individual custodians as participants. Our office reviewed 12 PCN PIAs this year.

Finally, Our Office participated in two national health privacy initiatives. The Alberta OIPC contributed to Canada Health Infoway's National Privacy Forum. The Forum includes representatives from Canadian health ministries and privacy oversight bodies and seeks to address challenges to the inter-provincial flow of health information in electronic health records. We also sat on the Steering Committee for the *Guidelines for the Protection of Health Information*, published by COACH, Canada's Health Informatics Association. These guidelines are used by health professionals across Canada and are referenced in health information security and privacy standards now in place in Alberta.

NEW CUSTODIAN

The Health Quality Council of Alberta (HQCA) became a custodian in this fiscal year, pursuant to legislation introduced by the Minister of Health and Wellness. The HQCA has a broad mandate to collect and analyze health information to improve the quality and safety of Albertans' health care. The Commissioner received and accepted the first PIAs from the HQCA this year and released one Investigation Report on the Council.

REQUESTS FOR REVIEW

The number of requests to review custodians' decisions relative to individuals seeking access to their own health information and requests for correction remain stable this year compared to last year and previous years. This year the Office opened 31 Requests for Review.

INVESTIGATIONS

Investigations are opened in one of two ways. First, individuals may complain that their own health information was collected, used or disclosed in breach of HIA. Second, in response to breaches of HIA reported by custodians, or reported by individuals that haven't been personally affected by the breach, the Commissioner may open an investigation on his own initiative. The Office conducted 51 investigations under HIA this year, an increase from 33 investigations in the last fiscal year. Two formal Investigation Reports were released to the public this year.

INVESTIGATION REPORT H2007-IR-001

An individual complained that he had received an 80 page survey by mail from the Health Quality Council of Alberta (HQCA) containing a covering letter that included some of his health information. The health information had been provided to the HQCA by the David Thompson Health Region (DTHR) so that a sample of patients could be selected to survey. The individual questioned how the HQCA obtained his health information and its efforts to secure the information. The investigator determined that DTHR had the authority to disclose the information and that the HQCA had the authority under its new legislation to collect health and personal information necessary to conduct a survey about the quality of health care in Alberta emergency departments.

INVESTIGATION REPORT H2007-IR-002

In this case, the investigator determined that Capital Health contravened HIA when it did not maintain adequate safeguards to protect health information stored on laptop computers. The laptops were stolen from a Capital Health facility in May of 2007. The investigation outlined the following steps that must be taken to protect health information stored on a mobile device in order to meet requirements of HIA:

- There must be policies and procedures that users are aware of and educated on that guide proper use of the device,
- Reasonable steps must be taken to physically secure the device,
- There must be a business need to store health information on the device,
- The device must be password protected, and
- Health information stored on the device must be protected by properly implemented encryption.

The Commissioner commented publicly on this case, expressing concern that this kind of security breach was still happening, despite past high-profile incidents investigated by our Office where organizations did not encrypt personal and health information on mobile devices.

SUCCESSFUL PROSECUTION OF OFFENSE UNDER HIA

In April, a medical office clerk from Calgary pleaded guilty to charges of improperly accessing another person's medical information, in contravention of HIA. The individual was fined $10,000. This is the first time that charges were laid under HIA.

The clerk accessed the information through the Netcare electronic health records system, and by fax, on six different occasions. According to an agreed statement of facts, the clerk was accessing health information of the wife of a man she was having an affair with.

This case points to the importance of maintaining and reviewing audit trails in electronic health information systems. A systematic audit regime can be used to prevent, detect and follow-up on breaches of confidentiality in these systems.

The Commissioner commented on this case, saying, "This is a very serious matter, and health care providers must know that surfing records for personal purposes will not be tolerated and individuals will be prosecuted. My office is charged with protecting the health information of Albertans, and we will not hesitate to recommend charges again in the future."

Fiscal year 2007-2008 saw a total of 297 new PIPA cases opened. This represents an increase of 29% over the 231 new cases opened in 2006-2007. Most of these new cases were collection, use, disclosure and safeguarding complaints by individuals, which increased almost 47% (from 138 the previous fiscal year, to 203 in 2007-2008). On the other hand, requests for review (where an individual has asked the Commissioner to review an organization's response to the individual's request for access to personal information) dropped by almost 18% (from 73 in 2006-2007, to 60 in 2007-2008). Fifteen (15) of the 297 new cases were self-reported breaches, and another 15 represented investigations initiated by the Commissioner.

Continuing a trend of the last few years, the industry sector that saw the highest number of new cases was retail, at almost 15%. Many of these cases were related to the collection and retention of driver's license numbers, which continues to be the subject of many new complaints. Other sectors that saw a high number of new cases include "other services" (unions, professional regulatory organizations, condominium corporations and religious organizations), private healthcare and social assistance, and real estate rental and leasing.

A total of 284 cases were closed in 2007-2008 – representing an increase of 12% over the last fiscal year. Of these, 92% were resolved through the Office's informal processes of mediation and investigation.

INVESTIGATION REPORTS

Six PIPA Investigation Reports were published during fiscal year 2007-2008.

Utility company found in compliance with *Personal Information Protection Act* (P2007-IR-004, April 2007)

The complainant, an employee of EPCOR Utilities Inc. (EPCOR) had taken a leave of absence from his employment. Shortly after the complainant went on leave, EPCOR received unsolicited information suggesting the complainant was about to begin work for another company. EPCOR contacted the other company to verify the complainant's alleged employment there. The complainant maintained that EPCOR collected, used and disclosed his personal information without consent, in contravention of PIPA.

The Investigator found that EPCOR had collected, used and disclosed the complainant's personal information to investigate a possible contravention of the complainant's employment agreement. As such, consent was not required. Further, the Investigator found that the information qualified as *personal employee information* under PIPA: the information was reasonably required to manage the complainant's employment relationship with EPCOR, and consisted only of information related to that employment relationship. The complainant was notified at the time of hire that his personal information could be collected, used or disclosed for investigation purposes. As such, EPCOR did not require consent to collect, use and disclose the complainant's personal employee information in these circumstances.

Former employee's health condition disclosed by employer to drivers' licensing regulator causing conditions to be placed on license (P2007-IR-005, August 2007)

In this investigation, the OIPC found that Hearing Conservation Consultants Ltd. (HCC) did not contravene PIPA when it disclosed a letter from an employee's healthcare worker describing his medical condition to Alberta Infrastructure & Transportation's Driver Fitness and Monitoring Branch (DFMB). The DFMB's collection of the information was also found to be in compliance with Alberta's *Freedom of Information & Protection of Privacy Act* (FOIP).

HCC stated that when it received the letter at issue (which was intended to support the employee's absence from work), the organization became concerned about the employee's ability to drive. In the interests of public safety, HCC disclosed the letter to the DFMB. Upon receiving the information, the DFMB investigated the individual's fitness to drive and then decided to place conditions on his driver's license requiring an annual medical examination.

PIPA enables organizations to disclose an individual's personal information without consent to public bodies that are authorized by legislation to collect the information. The Investigator found that the DFMB is a public body authorized by legislation to collect and respond to complaints about drivers; as such, HCC did not contravene PIPA by disclosing the complainant's personal information to the DFMB. FOIP permits public bodies to collect and use information about individuals for the purposes of law enforcement. In this case, the DFMB conducted an investigation under the *Traffic Safety Act* and *Operator Licensing and Vehicle Control Regulation*. Therefore, the DFMB's activities were in compliance with FOIP.

Inadequate security safeguards led to TJX breach (P2007-IR-006, September 2007)

In January 2007, the Information and Privacy Commissioner of Alberta, and the Privacy Commissioner of Canada, announced their offices would jointly investigate a computer system breach involving a TJX Companies Inc. (TJX) database. The breach, which was discovered by TJX in December 2006, involved millions of credit and debit card numbers as well as other personal information of Canadians who shopped at Winners Merchants Inc. and HomeSense (both of which are owned by parent company TJX).

TJX believed its computer system was compromised by an intruder who initially gained access to customer information via wireless local area networks at two of its US stores.

(continued)

The investigation concluded TJX did not comply with Alberta's PIPA or the federal private sector privacy law. Specific findings were:

- TJX did not properly manage the risk of an intrusion against the amount of customer data that it collected.
- The company failed to act quickly in converting from a weak encryption standard to a stronger standard. The conversion process took two years to complete, during which time the breach occurred.
- TJX did not meet its duty to monitor its computer systems vigorously. An adequate monitoring system should have alerted the company of an intrusion prior to December 2006.
- The company did not adhere to the requirements of the Payment Card Industry Data Security Standard, which was developed to address the growing problem of credit card data theft.
- The company did not have a reasonable purpose to collect driver's license and other identification numbers when unreceipted merchandise was returned. TJX stated it asked for this information as part of a fraud prevention process to identify people frequently returning merchandise.

In response to these concerns, TJX proposed a new process to address fraudulent returns. Store staff will continue to ask for identification; however, information such as a driver's license number will instantly be converted into a unique identifying number when it is keyed into the point-of-sale system, allowing the company to track unreceipted merchandise returns without keeping original driver's license numbers in its system.

Ticketmaster investigated under Personal Information Protection Act (P2007-IR-007, December 2007)

The complainant in this case went on Ticketmaster's website (www.ticketmaster.ca) to purchase tickets for an event. During the transaction, the complainant was unable to proceed with his ticket purchase unless he consented to Ticketmaster's "Use of Personal Information" privacy statement. The complainant was concerned that the privacy statement authorized Ticketmaster to share his email address with event providers for the event providers' marketing purposes.

The Investigator found that Ticketmaster contravened PIPA by requiring on-line customers to consent to the use of personal information for the event provider's marketing purposes as a condition of the ticket sales transaction.

The investigation also determined Ticketmaster's on-line opt-out process did not allow customers to make an informed decision about consent nor did it offer customers a reasonable opportunity to decline or object to the use of their personal information for event providers' marketing purposes. Ticketmaster's on-line privacy policy was also found to be complex and ambiguous.

Ticketmaster agreed to develop and implement a new system allowing on-line and telephone customers the opportunity to opt-in to receiving marketing materials from event providers during the ticket purchase process. Ticketmaster also revised its on-line privacy policy to include an easily navigable table of contents linking to appropriate sections of the policy.

Insurance company found in compliance with PIPA (P2008-IR-001, January 2008)

An Alberta couple complained that the Alberta Motor Association Insurance Company (AMA) collected and disclosed their personal information without consent in contravention of PIPA. The complainants had experienced a house fire for which they submitted a claim to the AMA. As a result of circumstances specific to the case, the AMA was concerned about insurance fraud and initiated an investigation which required verification of information provided by the complainants. The AMA also collected information that revealed the husband was in bankruptcy and was in debt to a civil judgment creditor. The OIPC Investigator found that the AMA did not require the consent of the complainants to collect this information since it was collected for the purposes of an investigation.

The complainants also alleged that the AMA disclosed their personal information to the husband's bankruptcy trustee without their consent. The OIPC Investigator determined that the AMA was authorized by PIPA to disclose information about the complainant's insurance claim to the trustee without consent. Since the disclosure was made in accordance with bankruptcy law and for the trustee's investigation, consent was not required. A court order requiring the AMA to disclose the information also authorized the disclosure under PIPA.

Commissioner releases investigation report related to discovery of identity theft
(P2008-IR-002, March 2008)

An investigation by the OIPC found that DeVry Institute of Technology (DeVry) contravened PIPA when it collected photocopies of students' drivers' licenses and social insurance cards, and failed to properly protect the information.

The complainant had been a student at DeVry's Calgary Campus. He discovered that someone submitted a fraudulent credit application to a furniture rental company using his name, some false information, and a photocopy of his actual driver's license, social insurance card and DeVry student card. The complainant believed that an employee of DeVry was responsible for this misuse of his personal information. The employee had made a copy of the complainant's identification in the past in order to assist the student with submitting loan documents to provincial and federal loan centres.

The investigation revealed that DeVry was photocopying student identification and mailing it to loan centers along with loan documents, to save students the trouble of doing so themselves. However, DeVry began collecting extra copies of students' identification to keep on its own files in order to process any future loans. The OIPC Investigator found that DeVry did not have authority to collect its own copies of the identification for its files and found DeVry to be in contravention of PIPA for collecting personal information without a reasonable purpose. DeVry was also found in contravention of section 34 of PIPA, which requires organizations to implement reasonable security measures to protect personal information.

CASE SUMMARIES

In 2007-2008, the OIPC published 7 PIPA case summaries. Case summaries are posted on the OIPC website when they have educational value for other organizations.

Utilities company makes improvements to safeguard personal information (P2007-CS-001, April 2007)

The complainant received her utilities statement from Direct Energy Regulated Services (DERS) and noted that, in addition to her own customer name, the name of a First Nation Utilities Corporation also appeared as an Additional Responsible Party (ARP). DERS reported that the Utilities Corporation had, at their own request, been added as an ARP to the customer accounts of a number of Nation members who were clients of a particular social assistance program. This was so that in the event of overdue payment, the Utilities Corporation would be able to obtain account information and pay outstanding amounts before the account was disconnected, thus avoiding any reconnection fees.

DERS reported that ensuring that accounts are paid and preventing disconnection could be considered to be in the interests of the account holder and that an individual would not reasonably be expected to withhold consent in such circumstances. As such, disclosing personal information of an account holder to an ARP, without consent, *may* be authorized under section 20(a) of PIPA. In the complainant's case, however, DERS did not rely on section 20(a) in adding the ARP to the account. As the complainant was not a client of the social assistance program in question, DERS reported that adding the Utilities Corporation as an ARP was an error.

There was no evidence DERS had disclosed the complainant's personal information to the ARP, and so the Investigator did not find a contravention of the consent provisions of PIPA. However, DERS was found to have contravened section 34 of PIPA for failing to make reasonable security arrangements to protect personal information from such risks as unauthorized access or disclosure. DERS's existing ARP policy allowed for the possible disclosure of personal account information to an ARP, without the customer's knowledge or consent.

Property management company fails to safeguard tenant information (P2007-CS-002, April 2007)

The complainant, a tenant in an apartment building managed by Laidley Management Ltd. (Laidley), reported that she found, in the hallway outside her apartment, a notice from Laidley. The notice included the complainant's apartment number and last name, and stated the complainant was "in violation of her lease agreement" and that "As of October 1, 2006, late rent will no longer be tolerated. We are now instructed to stop giving notices and force the eviction, by Court. Consider this your final warning." The complainant reported she found this notice in the hallway, right side up, not folded, and not in an envelope.

Laidley reported that the notice was not found in the hallway and "could not have been." However, a witness corroborated the complainant's report that the notice was in the hallway and "maybe two feet in front of [the complainant's] apartment door and off to the side." Given this corroborating evidence, the Investigator accepted the complainant's report that the notice was on the floor in the hallway. As Laidley did not have policies and procedures in place to help ensure the security of tenant personal information, the organization was found to be in contravention of section 34 of PIPA, which requires organizations to implement reasonable security measures to protect personal information.

Physical therapy clinic discloses too much personal information in reference (P2007-CS-003, April 2007)

The complainant alleged that Junction Point Physical Therapy (Junction Point) disclosed her personal information, without consent, to a caller who was requesting a reference.

The Investigator found that information that the complainant "complained about her co-workers" qualified as "personal employee information" under section 1(j) of PIPA. The information was collected by Junction Point at the time the complainant was employed there; the collection was reasonably required and solely related to managing the employment relationship with the complainant. Managing and/or administering personnel includes such activities as mediating disputes between coworkers, and generally overseeing interactions and relationships between staff members where they impact the employment relationship. The complainant's complaints about co-workers were documented in Junction Point's records. Pursuant to section 21(1)(a) of PIPA, Junction Point was authorized to disclose this information without consent as part of providing a reference.

Information that was disclosed about the complainant's medical diagnosis, however, did not qualify as personal employee information under PIPA as it was not reasonably required for, nor solely related to, managing the employment relationship. As such, Junction Point contravened section 7(1)(d) by disclosing this information to the caller without the complainant's consent. Junction Point also contravened section 19(2) of PIPA by disclosing more information than was reasonable for the purpose of providing an employment reference.

Oilfield services company uses former employee's business email address (P2007-CS-005, April 2007)

The complainant, a former employee of Innovative Chemical Technologies Canada, a member of the ECL Group (ECL Group), alleged that his business email address remained active after he resigned from the organization.

ECL Group stated that the complainant's role within the organization included extensive customer contact; therefore his business email address remained active for six months after his departure to ensure the organization's continuing communication with existing and potential customers.

Section 4(3)(d) of PIPA states that the Act does not apply to business contact information when it is collected, used or disclosed for the purpose of contacting an individual in his or her business capacity.

The Investigator found that the complainant's business email address in this case qualified as "business contact information" under section 1(a) of PIPA. The email address was issued by the organization to allow existing and potential customers to contact the complainant as a representative of the ECL Group. Although the complainant was no longer an employee of the organization, the use of the email address by ECL Group was reasonable for maintaining existing customer relationships and responding to potential business opportunities.

Daycare disclosed personal information related to a debt without consent (P2007-CS-006, July 2007)

The complainant alleged that Dana Day Care Ltd. (Dana Day Care) disclosed her personal information to a friend, who was taking care of the complainant's granddaughter while the complainant was away. The personal information at issue concerned a debt the complainant owed for daycare fees and that the complainant's cheque had been returned for insufficient funds.

Dana Day Care stated that it advised the complainant's friend about the complainant's debt as part of the debt collection process. The organization maintained that it was reasonable to disclose this information to the complainant's friend as the complainant had consented to the organization communicating any concerns about her granddaughter to her friend.

The Investigator found that the complainant's consent was for the disclosure of personal information related to caring for the complainant's granddaughter, and not personal information about the financial circumstances between the organization and the complainant. As such, Dana Day Care contravened section 7(1)(d) of the Act by disclosing personal information about the complainant's debt without consent.

Section 20(i) of PIPA authorizes an organization to disclose personal information without consent where necessary to collect a debt owed to the organization. However, in this case, the disclosure was not necessary to collect the debt, and so section 20(i) did not apply.

Insurance broker failed to safeguard personal information found in garbage (P2007-CS-007, May 2007)

The complainant reported that she came upon a garbage bag in an alley containing insurance forms of clients of MBS Insurance Brokers Ltd. (MBS), which included personal information such as client names, addresses, policy numbers, policy details and insurance coverage.

MBS confirmed that the garbage bag had been left outside of its building. The organization had been disposing of old records that were no longer required. The records were placed in recycle boxes provided by the building landlord. Once filled, the contents of the boxes were bagged, and the bags placed along the office wall, separate from actual garbage, for cleaning staff to remove. MBS believed the bags would be placed in a locked compound prior to pick-up by a recycling or shredding truck. Apparently, cleaning staff instead placed the bags in the garbage.

The Investigator found that MBS contravened section 34 of PIPA by failing to make reasonable security arrangements to protect personal information. It was not reasonable for MBS to assume, without confirmation, that the bags of records would be placed in a locked facility or that building management would shred records prior to recycling them.

Oilfield services company collected and disclosed personal information for WCB claim
(P2007-CS-008, June 2007)

The complainant alleged that his former employer, Gene's Oilfield Services Ltd. (GOS), telephoned his present employer to discuss his Workers' Compensation Board (WCB) claim. The complainant believed GOS attempted to collect and disclose his personal information without his consent and without a reasonable purpose.

GOS stated that while the complainant was an employee, he was involved in an injury accident that resulted in a WCB claim. He returned to work for a few years until he submitted another WCB claim while working for his current employer. This second claim was made against GOS rather than his present employer. As a result, GOS contacted the complainant's present employer to determine why this was the case.

PIPA generally requires that organizations obtain consent to collect, use or disclose personal information. However, consent is not required if the collection or disclosure is reasonable for an investigation or legal proceeding [sections 14(d) and 20(m) of PIPA].

The investigator found that GOS's collection and disclosure of the complainant's personal information was for an investigation as defined in section 1(f) of PIPA. Therefore, GOS did not require consent to collect or disclose the information, and the investigator found no contravention of PIPA.

COMPLIANCE RESOURCES FOR ORGANIZATIONS

A number of complaints made to the OIPC in the past year related to the collection and recording of driver's license numbers by organizations. Following one such complaint from an individual who was asked by two Calgary retailers to verify his identity for credit card purchases, the Information and Privacy Commissioner declined to conduct an inquiry, believing the practice of verifying identity to be reasonable.

Nonetheless, in response to this issue, in September 2007 the Alberta OIPC, British Columbia OIPC and Office of the Privacy Commissioner of Canada (OPC) jointly published a document entitled *Photo Identification Guidance*, which acknowledged that a simple identification verification policy may be good business for retailers and provides a level of consumer protection.

Credit card fraud has become a major issue and, as a result, some action may be required to protect consumers from fraud and to protect retailers from liability in the event the card being used is fraudulent. The Commissioners agreed that asking for identification is a reasonable security measure, as long as information from the ID was not recorded by the retailer.

In another example of collaboration amongst private sector privacy regulators, in March 2008 the Alberta OIPC, British Columbia OIPC and federal OPC jointly released *Guidelines for Overt Video Surveillance in the Private Sector*. The guidelines recognize that there has been a dramatic increase in the use of surveillance cameras by private sector organizations. While there are some legitimate reasons to conduct video surveillance, privacy laws impose restrictions and obligations on when, where and how businesses can conduct this kind of surveillance. The *Guidelines* set out how companies should evaluate the use of video surveillance and ensure any surveillance they undertake is conducted in a way that respects privacy rights and complies with the law.

PIPA CONFERENCE 2007

On September 20 and 21, 2007, the Alberta OIPC, along with the British Columbia OIPC, co-hosted the second annual Private Sector Privacy Conference in Vancouver, British Columbia.

The conference theme was "Private Sector Privacy in a Changing World," and sessions were divided into three streams: personal employee information, general privacy compliance, and privacy from a consumer perspective. The conference offered blue ribbon panels of privacy experts, consumer advocates and business leaders. Speakers included Karen Curtis, Privacy Commissioner of Australia, Marie Shroff, Privacy Commissioner of New Zealand, Peter Cullen, Chief Privacy Strategist for Microsoft, Joe Alhadeff, Chief Privacy Officer for Oracle, and Harriet Pearson, Chief Privacy Officer for IBM. Concurrent and plenary sessions addressed myriad topics, including: employee surveillance; marketing privacy to create a culture of confidentiality; drug and alcohol testing in the workplace; responding to privacy breaches; employee access to personal information; cross border and outsourcing challenges in managing personal employee information; and, the value of privacy advocates in the marketplace.

With over 300 registrants from businesses, non profits, government, and law firms, the event was once again sold-out.

LEGISLATIVE REVIEW OF PIPA

In November 2007, after reviewing over 60 submissions from industry, businesses and individuals, and hearing a number of oral presentations, the Select Special Personal Information Protection Act Review Committee issued its Final Report containing 39 recommendations for changes to PIPA. The Alberta OIPC participated in the review by providing statistics and real-life examples of privacy complaints to demonstrate how the Act was in fact working.

The Final Report included a Message from the Chair, Cindy Ady, MLA, in which she commented that "PIPA has established a set of sound, common-sense rules for the collection, use, disclosure, and protection of personal information by organizations. The Act gives Albertans strong, effective privacy protection." Nonetheless, "As with any new legislation in a rapidly evolving area, some updating and fine tuning is required. We want to ensure that PIPA keeps pace with growth and change, and that it will serve Albertans well into the next decade."

While some of the Committee's 39 recommendations represent "technical fixes," others were more substantial. Key recommendations include:

- amending PIPA to require organizations to notify individuals when they will be transferring personal information to a third-party service provider outside of Canada,
- requiring organizations to notify the OIPC of a privacy breach involving personal information if the privacy breach meets certain criteria, and to notify affected individuals if directed to do so by the Commissioner,
- amending PIPA to apply fully to all not-for-profit organizations, subject to a one-year transition period,
- amending PIPA to expand the application of the provisions for "personal employee information" to explicitly include the personal information of former employees,
- a requirement that organizations destroy or anonymize within a reasonable time, personal information that is no longer required for legal or business purposes,
- amending PIPA to make it an offence to contravene the "whistleblower" protection provisions under PIPA,
- changing the standard required to find an offence under PIPA from intentional to negligent.

An Adjudicator ruled on an access request for information in a psychologist's files relating to a custody assessment
ORDER P2007-002 (August 2007)

An Adjudicator ruled on an access request under the *Personal Information Protection Act* for information in a psychologist's files relating to the custody assessment she had conducted relative to the Applicant, his former wife, and their children. The Adjudicator held that much of the information in the files was not about the Applicant, hence was not his personal information. There is no obligation to disclose this information on a request for personal information. With respect to opinions and other information about the Applicant provided by private individuals (which was his personal information), as most of this information at the same time revealed the personal information of the persons providing it, the psychologist was required to withhold it under section 24(3)(b) of PIPA.

The Adjudicator also considered the application of section 24(2)(c) of PIPA – information collected for an investigation or legal proceeding. As the custody assessment was for a court proceeding, she agreed that the exception was applicable to all the information in the files, including the Applicant's own personal information. However, as the psychologist had given no indication of the basis on which she had exercised her discretion under this provision, it was not possible for the Adjudicator to decide whether it had been properly applied. The Adjudicator ordered the psychologist to re-exercise her discretion under this heading on the basis of the appropriate principles.

The Commissioner ordered Alberta Environment to provide access to a remediation agreement related to the clean-up of contaminated lands
ORDER F2005-030 (December 2007)

An Applicant made an access request to Alberta Environment under the *Freedom of Information and Protection of Privacy Act* for a remediation agreement between Environment and Imperial Oil. The agreement, which contained the terms for achieving clean-up of lands in the City of Calgary contaminated by hydrocarbon vapours and lead, had resulted in cancellation of related environmental protection orders that had been issued by Alberta Environment.

In withholding the agreement, Alberta Environment relied on various exceptions in FOIP, including section 16 (disclosure harmful to business interests of a third party), section 27 (information subject to legal privilege), section 24(1) (advice from officials, information for contractual negotiations), and 25(1)(c)(iii) of FOIP (disclosure harmful to economic interests of the public body). The Commissioner did not accept that any of the exceptions applied. His conclusions were based in part on the fact that FOIP protects communications made during the course of negotiating an agreement, but not the agreement itself. As well, he took into account that in balancing the competing interests between confidentiality and disclosure, the principle that the public should know about the outcomes resulting from a mediated solution to a regulatory problem, in particular the question of the remediation of a contaminated site, defeats the public interest in facilitating the negotiation of settlements.

An application to the court for judicial review of this Order has been made by Imperial Oil.

A section of the FOIP Act on employee evaluations was considered in an order for the first time
ORDER F2006-015 (January 2008)

An individual asked the University of Calgary (U of C) for copies of reference letters that were submitted by external referees in the process of determining whether to promote him to full professor. An Adjudicator found that the U of C had improperly refused access to the information under section 19(2) of FOIP, which governs confidential evaluations given by participants in a formal employee evaluation process. The U of C had withheld most of the content of the letters, whereas section 19(2) allows it to withhold only information that would identify the referees. The Adjudicator ordered disclosure of the non-identifying information.

The Commissioner found that the City of Edmonton had no authority to require pawnshops and second-hand stores to upload customer personal information to a database maintained by BWI. He ordered destruction of the database.
ORDERS F2007-001, F2007-002 and P2007-001 (February 2008)

Under a directive of the City of Edmonton's City Manager, pawnshops and second-hand stores were required to upload the personal information of customers (required to be collected under a municipal bylaw) to a database maintained by a private company (Business Watch International). The database is available to the Edmonton Police Service. An individual complained about the collection and uploading of his personal information in this manner by a second-hand store.

The Commissioner found that the bylaw did not authorize the City to require second hand stores and pawnshops to upload the complainant's personal information to the database. He also found that as information collected under the directive is in the custody of the City, FOIP (rather than PIPA) applies to the information. He held that the City contravened section 33 (no collection without authorization) and section 34 (no indirect collection without authorization) of FOIP when the complainant's personal information was uploaded to the database, and that the City had no authority to disclose the information to the EPS. He also held that the EPS contravened sections 33 and 34 when it downloaded the information from the database.

The Commissioner ordered the City to destroy the Complainant's personal information as well as the database.

An application to the court for judicial review of this Order has been made by the City of Edmonton, the Edmonton Police Service, and Business Watch International.

Commissioner orders Calgary nightclub to cease scanning driver's license information
ORDER P2006-011 (February 2008)

An individual complained under the *Personal Information Protection Act* that an employee of Tantra Nightclub had scanned his driver's license information into a database without his consent when he entered. The nightclub argued that scanning driver's licenses contributes to customer safety and that it scanned the Complainant's driver's license for that reason.

The Commissioner found that the nightclub did not have a reasonable purpose when it collected the Complainant's driver's license information, and that there was no evidence that collecting driver's license information contributed to customer safety. In addition, the Commissioner found that the nightclub did not have a reasonable purpose for retaining the driver's license information of patrons. As a result, the Commissioner found that the collection of the Complainant's personal information, and that of other patrons, was in violation of PIPA.

An application for judicial review of this Order has been made by the nightclub.

An Adjudicator decided whether information was properly withheld in a child intervention file and whether another Act's provision prevailed over the FOIP Act
ORDER F2006-006 (March 2008)

An applicant asked the Calgary and Area Child and Family Services Authority (CFSA) for its file in relation to his son. The CFSA refused access to information that would identify the persons who had reported that the son may be in need of intervention, saying that non-disclosure of this information under a provision of the *Child, Youth and Family Enhancement Act* prevailed over FOIP. The Adjudicator found that there was no conflict with FOIP, as it also protects the identity of such persons under section 27 (privileged information). FOIP therefore applied.

The Adjudicator found that the CFSA had properly withheld the identities of third parties who it had contacted when assessing the child's needs, as well as information conveyed by the child during interviews with him, even though the applicant was his father. However, the Adjudicator found that the CFSA had sometimes improperly withheld information about the child's mother. As this was very basic information, the mother and the applicant were being treated jointly in the records as the parents of the child, or the information was originally provided by the applicant, disclosure of this information was held not to constitute an unreasonable invasion of the mother's personal privacy.

Adjudicator ruled Alberta Teachers' Association released information in contravention of the *Personal Information Protection Act*.
ORDER P2007-014 (March 2008)

The Alberta Teachers' Association (ATA) published the Complainants' names and places of work in the ATA News in conjunction with a statement that the Complainants were no longer required to adhere to the ATA's Code of Professional Conduct. The ATA argued that it had published the Complainant's personal information for purely journalistic purposes and that the *Personal Information Protection Act* did not apply for that reason.

The Adjudicator found that the information in the ATA News article was the Complainants' personal information and was not exempt from PIPA. The Adjudicator noted that the ATA is a statutory corporation and can act only for the purposes set out in its legislation. She therefore rejected the argument that the ATA had published the Complainants' personal information for purely journalistic purposes. The Adjudicator found that the ATA had disclosed the Complainants' personal information contrary to sections 7 and 19 of PIPA.

An application for judicial review of this Order has been made by the ATA.

Fees were waived in two access requests on the basis that the requested information related to matters of public interest
ORDERS F2007-017 (January 2008) and F2007-020 (August 2007)

In the first case, the Commissioner waived fees on the ground of public interest for records relating to public complaints, inspections and statistical data regarding restaurant inspections.

In the second case, an Adjudicator waived fees based on public interest for information related to security issues or errors made in regard to $400 resource rebate cheques.

Stubicar v. Alberta (Office of the Information and Privacy Commissioner), 2007 ABQB 480 (judicial review of Order H2006-003)

Under the *Health Information Act* (HIA), the Applicant's husband requested access to medical records about his hospital admissions. The Calgary Health Region (Custodian) provided those records. When the husband died, the Applicant made an access request for all of her late husband's medical records. The Custodian provided access to all records except for the registration numbers of two ambulance attendants, which it severed and withheld from the records under section 11(2)(a) of HIA (health information about another individual). The Applicant asked the Commissioner to review the Custodian's decision to withhold that information under section 11(2)(a), and claimed that the Custodian breached its duty to assist the Applicant under HIA when it withheld the information. The Applicant also alleged that the Custodian did not conduct an adequate search for records. The Custodian subsequently disclosed the information it had withheld.

The Adjudicator delegated to hear the inquiry issued Order H2006-003, in which she declined to exercise her discretion to hear the moot issue about the information that the Custodian had originally withheld from the Applicant. The Adjudicator further decided that the Custodian met its duty to assist the Applicant (despite having originally withheld information from the Applicant) and conducted an adequate search for records.

The Alberta Court of Queen's Bench (Court) dismissed the Applicant's application for judicial review of Order H2006-003.

The Court determined that different standards of review applied to each of the decisions made in Order H2006-003:

1. The issue of whether severing information was moot was a question of mixed fact and law that invoked the Commissioner's particular expertise in applying the legislative privacy scheme to the facts. The appropriate standard of review was reasonableness.

2. The issue of whether misapplying section 11(2)(a) of HIA did not amount to a breach of the duty to assist was a matter of statutory interpretation for which the Commissioner did not have particular expertise relative to the court. The appropriate standard of review was correctness.

3. The issue of whether the Custodian met its duty to assist the Applicant was a question of fact falling squarely within the expertise of the Commissioner. The appropriate standard of review was patent unreasonableness.

The Court held that the decisions on each of the issues met the appropriate standard of review. It therefore declined to interfere with the decisions in Order H2006-003.

The Court's decision in Stubicar is under appeal (to be heard in the fall of 2008).

Kellogg Brown and Root Canada v. (Alberta) Information and Privacy Commissioner, 2007 ABQB 499 (prohibition application)

Kellogg Brown and Root Canada (Kellogg) and Syncrude Canada Limited (Syncrude) sought declarations that the Commissioner lost jurisdiction and that he be prohibited from conducting an inquiry under the Personal Information Protection Act (PIPA).

Kellogg and Syncrude argued that the Commissioner lost jurisdiction because he did not conduct an inquiry within 90 days of receiving a privacy complainant about pre-employment alcohol and drug testing, as required by section 50(5) of PIPA.

The Court held that section 50(5) of PIPA is mandatory, requiring that the Commissioner conduct an inquiry in accordance with that provision. The Court held that the Commissioner lost jurisdiction when he did not do so. Kellogg and Syncrude were therefore entitled to orders prohibiting the Commissioner from proceeding with the inquiry.

The Court's decision in Kellogg is under appeal (to be heard in the fall of 2008).

Canada Safeway Limited v. Shineton, 2007 ABQB 773 (judicial review of Order P2005-006)

The Complainant, an employee of another food retail chain, was alleged to have entered a Canada Safeway Limited (Safeway) store while wearing her employee uniform. The Complainant gathered several goods, paying for some, but not for others. The Complainant was stopped and accused of theft. The incident was reported to the police, but no charges were laid. Safeway then informed the Complainant's employer about the incident, and the Complainant's employment was terminated.

The Complainant complained to the Office of the Information and Privacy Commissioner that Safeway disclosed her personal information to her employer without her consent, contrary to the *Personal Information Protection Act* (PIPA).

The Commissioner conducted a written inquiry. Safeway argued that the requirement for consent to disclose personal information under section 7(1)(d) of PIPA violated section 2(b) of the *Canadian Charter of Rights and Freedoms* (the Charter), which provides for freedom of expression. Alternatively, Safeway argued that PIPA authorized disclosure of the Complainant's personal information without consent under section 20(b) (disclosure pursuant to a statute of Canada that authorizes or requires disclosure) and section 20(m) (disclosure reasonable for investigation or legal proceeding).

At the conclusion of the inquiry, the Commissioner issued Order P2005-006. He held that the requirement for consent under section 7(1)(d) of PIPA did not contravene section 2(b) of the Charter. He also found

that section 20(b) and section 20(m) of PIPA did not authorize Safeway to disclose the Complainant's personal information without consent. Therefore, Safeway had disclosed the Complainant's personal information contrary to section 7(1)(d) of PIPA.

The Alberta Court of Queen's Bench (the Court) dismissed Safeway's application for judicial review of Order P2005-006.

The Court said that the standard of review that applied to the Commissioner's decision on the Charter issue was correctness. On the standard of correctness, the Commissioner did not err in his conclusion that Safeway's freedom of expression under section 2(b) of the Charter was not infringed by section 7(1)(d) of PIPA.

The Court concluded that reasonableness was the appropriate standard of review for the Commissioner's decision that interpreted and applied section 20(m) of PIPA. The Court upheld as reasonable the Commissioner's finding that Safeway's disclosure of personal information to the Complainant's employer was not reasonable for the purposes of an investigation. The Court did not discuss section 20(b) of PIPA.

Commissioner Intervenes in Case at Supreme Court of Canada

On February 21, 2008, legal representatives for Commissioner Frank Work and other information and privacy commissioners across Canada appeared before the Supreme Court of Canada to intervene in the case of the *Blood Tribe Department of Health v. Canada (Privacy Commissioner)*.

The Blood Tribe case concerned whether the Privacy Commissioner of Canada had the authority under the federal *Personal Information Protection and Electronic Documents Act* to compel the production of documents for which solicitor-client privilege was claimed.

The Supreme Court of Canada's decision on this issue is expected later in 2008.

TABLE 1: CASES OPENED 2007- 2008 FISCAL YEAR FOIP, HIA, PIPA

Statistics are from the period April 1, 2007 to March 31, 2008

Case Type	FOIP	HIA	PIPA
Advice and Direction	3	0	0
Authorization to Disregard a Request	7	0	1
Complaint	93	28	203
Excuse Fees	2	0	2
Investigation Generated by Commissioner	11	23	15
Offense Investigation	0	0	0
Privacy Impact Assessments	26	270	0
Request for Information	42	27	1
Request for Review	179	31	60
Request for Review 3rd Party	8	0	0
Request Time Extension	20	0	0
Self-reported Breach	19	37	15
Total	**410**	**416**	**297**

Please refer to Appendix A for a complete listing of the cases opened in the 2007- 2008 fiscal year

Note: Only FOIP allows a 3rd Party to request a review of a Public Body's decision to release 3rd Party information to an applicant.

TABLE 2: CASES CLOSED 2007-2008 FISCAL YEAR FOIP, HIA, PIPA

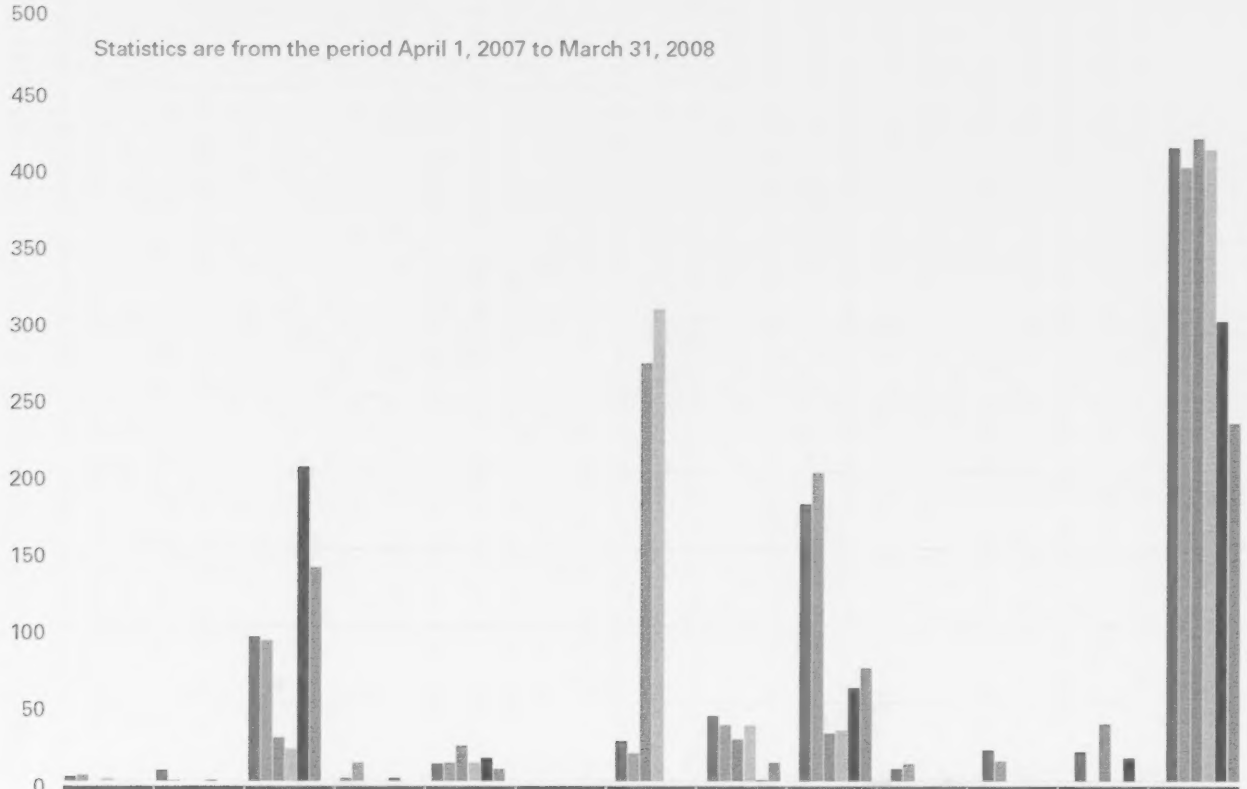
Statistics are from the period April 1, 2007 to March 31, 2008

Case Type	FOIP	HIA	PIPA
Advice and Direction	1	1	0
Authorization to Disregard a Request	4	0	0
Complaint	109	27	188
Excuse Fees	6	0	1
Investigation Generated by Commissioner	8	19	9
Offense Investigation	1	0	0
Privacy Impact Assessments	23	226	0
Request for Information	43	31	1
Request for Review	202	23	64
Request for Review 3rd Party	6	0	0
Request Time Extension	19	0	0
Self-reported Breach	14	19	21
Total	**436**	**346**	**284**

** Please refer to Appendix D for a complete listing of the PIAs accepted by the Commissioner in the fiscal year 2007-2008.

Please refer to Appendix B for a complete listing of the cases closed in the 2007-2008 fiscal year.

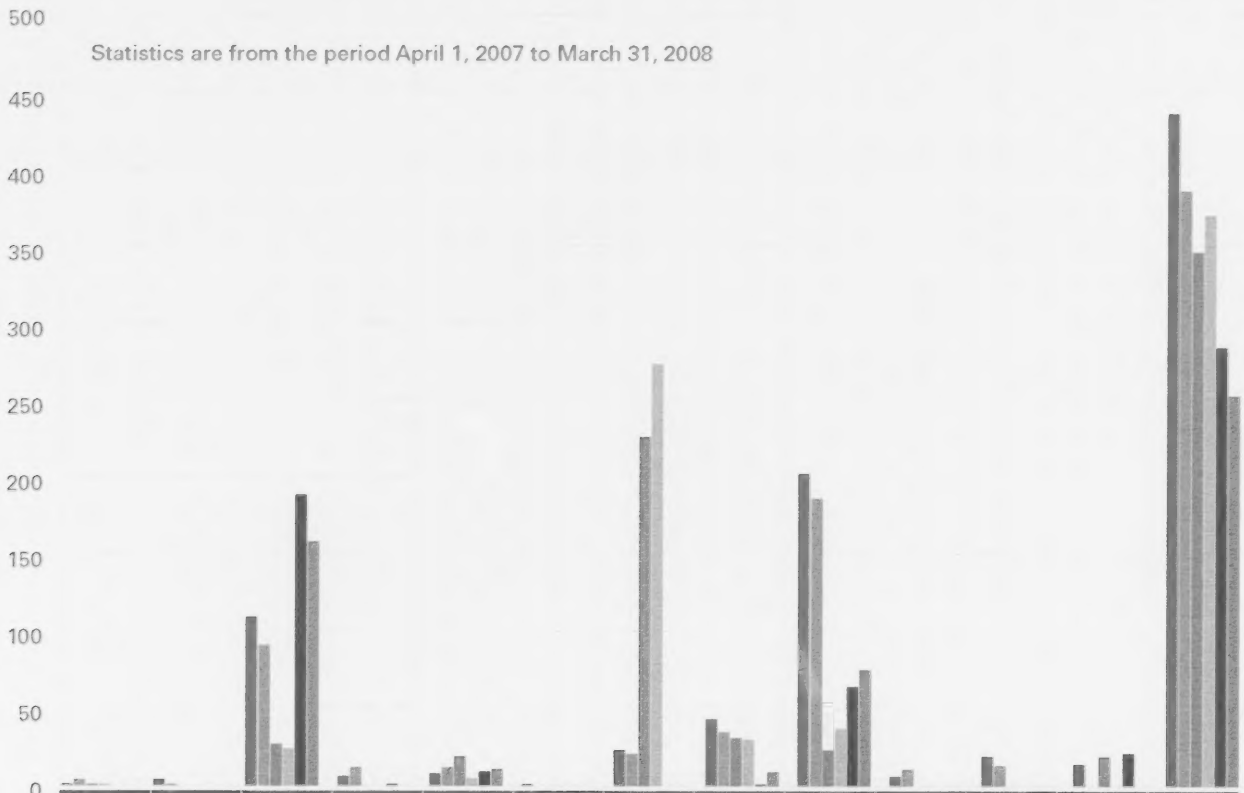
GRAPH 1: TOTAL NUMBER OF CASES OPENED - A TWO YEAR COMPARISON



	Advice and Direction	Authorization to Disregard a Request	Complaint	Excuse Fees	Investigation Generated by Commissioner	Offense Investigation	Privacy Impact Assessment	Request for Information	Request for Review	Request for Review 3rd Party	Request Time Extension	Self-reported Breach	Total
FOIP Cases Opened 2008	3	7	93	2	11	0	26	42	179	8	20	19	410
FOIP Cases Opened 2007	4	1	91	12	12	0	18	36	199	11	13	0	397
HIA Cases Opened 2008	0	0	28	0	23	0	270	27	31	0	0	37	416
HIA Cases Opened 2007	2	0	21	0	12	0	305	36	33	0	0	0	409
PIPA Cases Opened 2008	0	1	203	2	15	0	0	1	60	0	0	15	297
PIPA Cases Opened 2007	0	0	138	0	8	0	0	12	73	0	0	0	231

Please refer to Appendix A for a complete listing of the cases opened in the 2007-2008 fiscal year.
Previous Annual Reports reported Self-reported Breaches under the category of Request for Information.
Note: Only FOIP allows a 3rd Party to request a review of a Public Body's decision to release 3rd Party information to an applicant.

GRAPH 2: TOTAL NUMBER OF CASES CLOSED - A TWO YEAR COMPARISON



	Advice and Direction	Authorization to Disregard a Request	Complaint	Excuse Fees	Investigation Generated by Commissioner	Offense Investigation	Privacy Impact Assessment	Request for Information	Request for Review	Request for Review 3rd Party	Request Time Extension	Self-reported Breach	Total
FOIP Cases Closed 2008	1	4	109	6	8	1	23	43	202	6	19	14	436
FOIP Cases Closed 2007	4	1	91	12	12	0	21	35	186	11	13	0	386
HIA Cases Closed 2008	1	0	27	0	19	0	226	31	23	0	0	19	346
HIA Cases Closed 2007	1	0	24	0	5	0	273	30	37	0	0	0	370
PIPA Cases Closed 2008	0	0	188	1	9	0	0	1	64	0	0	21	284
PIPA Cases Closed 2007	0	0	158	0	11	0	0	9	75	0	0	0	253

Please refer to Appendix B for a complete listing of the cases closed in the 2007-2008 fiscal year.
Previous Annual Reports reported Self-reported Breaches under the category of Request for Information.
Note: Only FOIP allows a 3rd Party to request a review of a Public Body's decision to release 3rd Party information to an applicant.

TABLE 3: CASES OPENED BY PUBLIC, BODIES SUBJECT TO THE LEGISLATION, AND COMMISSIONER ON OWN MOTION

Statistics are from the period April 1, 2007 to March 31, 2008

Type	Number of Cases	Percentage
FOIP		
Investigation Generated by Commissioner	11	3%
Public Bodies	117	28%
*Public	282	69%
Total	**410**	**100%**
HIA		
Investigation Generated by Commissioner	23	6%
Custodian	334	80%
*Public	59	14%
Total	**416**	**100%**
PIPA		
Investigation Generated by Commissioner	15	5%
Organization (Self-report)	15	5%
*Public	267	90%
Total	**297**	**100%**

*Includes individuals, media, agents, third party agents, agent applicants, MLAs, companies, others, special interest groups.

TABLE 4: PERCENTAGE OF CASES CLOSED BY RESOLUTION METHOD

Statistics are from the period April 1, 2007 to March 31, 2008

Resolution Method	Number of Cases (FOIP)	Number of Cases (HIA)	Number of Cases (PIPA)	Total	Percentage
*Resolved by Mediation/Investigation	323	50	253	626	88%
Resolved by Order	57	6	25	88	12%
Total	**380**	**56**	**278**	**714**	**100%**

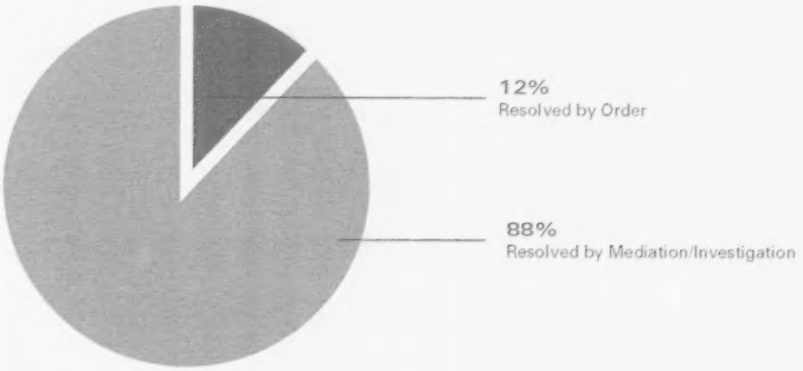
FOIP Orders: **51 (total of 57 cases)**
PIPA Orders: **24 (total of 25 cases)**
HIA Orders: **6 (total of 6 cases)**

Note: Some Orders and/or Report Numbers were assigned to more than one case.
Note: Orders are recorded by the date the Order was signed, rather than the date the Order was publicly released.
Note: *Under the legislation, only certain case types can proceed to inquiry if the matters are not resolved at mediation/investigation. The above statistics are those case types that can proceed to inquiry (Request for Review, Request for Review 3rd Party, Request to Excuse Fees and Complaint files).

Please refer to Tables 1 and 2 and Appendices A and B for total cases opened and closed.

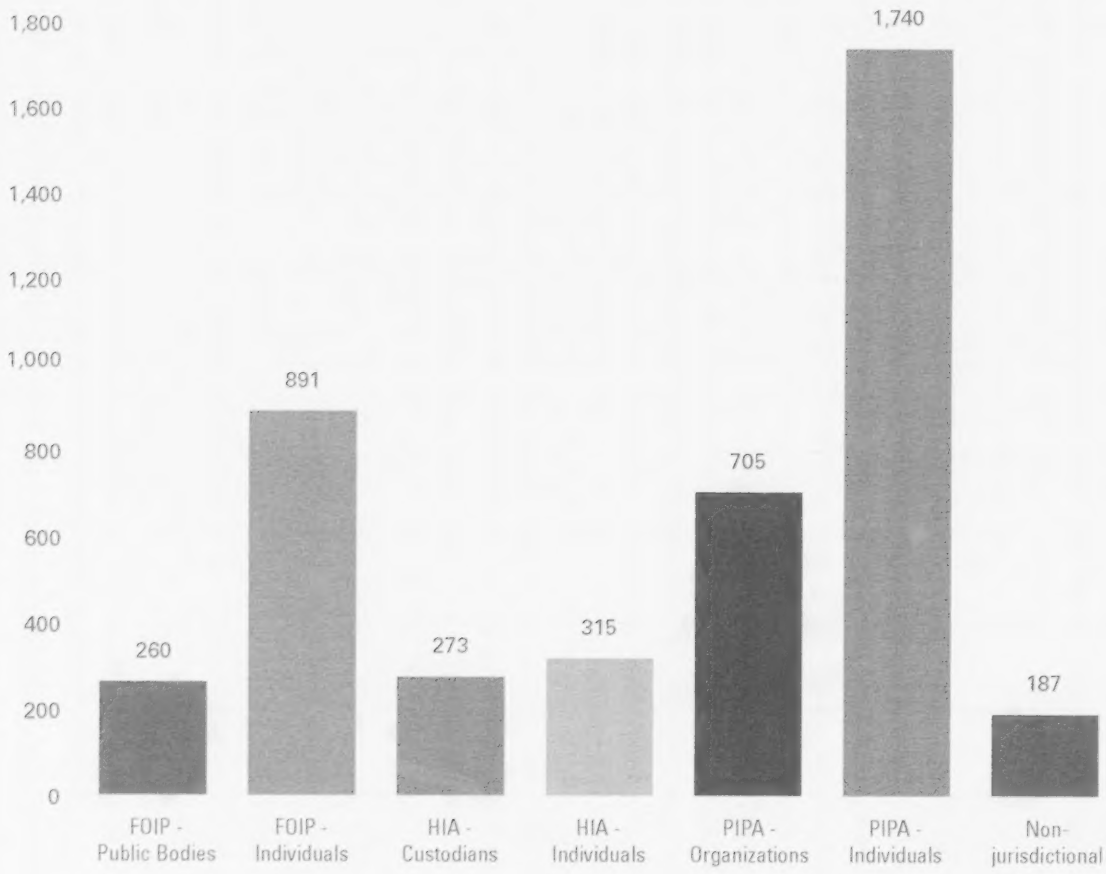
A copy of all Orders and Investigation Reports are available on the Office's web site www.oipc.ab.ca

GRAPH 3. PERCENTAGE OF CASES CLOSED BY RESOLUTION METHOD



GRAPH 4. FOIP, HIA AND PIPA NON-CASE RELATED TELEPHONE, EMAIL AND WRITTEN ENQUIRIES

April 1, 2007 to March 31, 2008



Office of the Information and Privacy Commissioner

FINANCIAL STATEMENTS

MARCH 31, 2008

Office of the Information and Privacy Commissioner

FINANCIAL STATEMENTS

March 31, 2008

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AUDITOR GENERAL
Alberta

Auditor's Report

To the Members of the Legislative Assembly

I have audited the statement of financial position of the Office of the Information and Privacy Commissioner as at March 31, 2008 and the statements of operations and cash flows for the year then ended. These financial statements are the responsibility of the Office's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Office as at March 31, 2008 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Original Signed by Fred J. Dunn, FCA

FCA
Auditor General

Edmonton, Alberta
June 13, 2008

The official version of the Report of the Auditor General, and the information the Report covers, is in printed form

Office of the Information and Privacy Commissioner

STATEMENT OF OPERATIONS
YEAR ENDED MARCH 31, 2008

	2008 Budget	2008 Actual	2007 Actual
Revenues			
Prior Year Expenditure Refund	$ -	$ 14,824	$ 3,813
Other Revenue	-	166	78
	-	14,990	3,891
Expenses – Directly Incurred (Note 3b)			
Voted			
Salaries, Wages, and Employee Benefits	4,270,000	3,870,665	3,739,902
Supplies and Services	786,000	866,960	637,323
Supplies and Services from Support Arrangements with Related Parties (Note 7)	-	1,293	1,635
Amortization	58,000	53,526	76,294
Total Voted Expenses before Recoveries	5,114,000	4,792,444	4,455,154
Less: Recovery from Support Service Arrangements with Related Parties (Note 7)	-	(21,135)	(19,219)
	5,114,000	4,771,309	4,435,935
Statutory			
Valuation Adjustments			
Provision for Vacation Pay	-	12,705	27,219
Provision for Doubtful Accounts	-	947	-
	-	13,652	27,219
	5,114,000	4,784,961	4,463,154
Gain (Loss) on Disposal of Capital Assets	-	5	(1,331)
Net Operating Results	$ (5,114,000)	$ (4,769,966)	$ (4,460,594)

The accompanying notes and schedules are part of these financial statements.

Office of the Information and Privacy Commissioner

STATEMENT OF FINANCIAL POSITION
AS AT MARCH 31, 2008

	2008	2007
Assets		
Cash	$ 100	$ 250
Accounts Receivable	8,495	8,398
Prepaid Expenses	22,934	29,287
Tangible Capital Assets (Note 4)	117,582	164,542
	$ 149,111	$ 202,477
Liabilities		
Accounts Payable and Accrued Liabilities	$ 270,093	$ 302,049
Accrued Vacation Pay	307,977	295,272
	578,070	597,321
Net Liabilities		
Net Liabilities at Beginning of Year	(394,844)	(309,583)
Net Operating Results	(4,769,966)	(4,460,594)
Net Financing Provided from General Revenues	4,735,851	4,375,333
	(428,959)	(394,844)
	$ 149,111	$ 202,477

The accompanying notes and schedules are part of these financial statements.

Office of the Information and Privacy Commissioner

STATEMENT OF CASH FLOWS
YEAR ENDED MARCH 31, 2008

	2008	2007
Operating Transactions		
Net Operating Results	$ (4,769,966)	$ (4,460,594)
Non-cash Items Included in Net Operating Results		
Amortization of Tangible Capital Assets	53,526	76,294
Valuation Adjustments	13,652	27,219
(Gain) Loss on Disposal of Capital Assets	(5)	1,331
	(4,702,793)	(4,355,750)
Increase in Accounts Receivable	(1,044)	(6,373)
(Increase) Decrease in Prepaid Expenses	6,353	(8,219)
Increase (Decrease) in Accounts Payable	(31,956)	4,739
Cash Applied to Operating Transactions	(4,729,440)	(4,365,603)
Capital Transactions		
Disposal of Capital Assets	5	77
Acquisition of Capital Assets	(6,566)	(9,807)
	(6,561)	(9,730)
Financing Transactions		
Net Financing Provided From General Revenues	4,735,851	4,375,333
Decrease in Cash	(150)	-
Cash, Beginning of Year	250	250
Cash, End of Year	$ 100	$ 250

The accompanying notes and schedules are part of these financial statements.

NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2008

NOTE 1 AUTHORITY

The Office of the Information and Privacy Commissioner operates under the authority of the *Freedom of Information and Protection of Privacy Act*. The net cost of the operations of the Office is borne by the General Revenue Fund of the Province of Alberta. Annual operating budgets are approved by the Select Standing Committee on Legislative Offices.

NOTE 2 PURPOSE

The Office of the Information and Privacy Commissioner administers the following legislation governing access to information and protection of privacy:

Freedom of Information and Protection of Privacy Act
Health Information Act
Personal Information Protection Act

The major operational purposes of the Office of the Information and Privacy Commissioner are:

- To facilitate the resolution of matters dealing with access to information and protection of personal privacy under the three relevant Alberta statutes;
- To advocate protection of privacy for Albertans; and
- To advance open and accountable government in all Alberta public bodies.

NOTE 3 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND REPORTING PRACTICES

These financial statements are prepared in accordance with Canadian generally accepted accounting principles for the public sector as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

a) Reporting Entity

The reporting entity is the Office of the Information and Privacy Commissioner (the Office), for which the Information and Privacy Commissioner is responsible.

NOTE 3 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND REPORTING PRACTICES (continued)

a) Reporting Entity (continued)

The Office operates within the General Revenue Fund (the Fund). The Fund is administered by the Minister of Finance. All cash receipts of the Office are deposited into the Fund and all cash disbursements made by the Office are paid from the Fund. Net Financing provided from General Revenues is the difference between all cash receipts and all cash disbursements made.

b) Basis of Financial Reporting

Revenues

All revenues are reported on the accrual basis of accounting.

Expenses

Directly Incurred

Directly incurred expenses are those costs the Office has primary responsibility and accountability for, as reflected in the Office's budget documents.

In addition to program operating expenses such as salaries, supplies, etc., directly incurred expenses also include:

- Amortization of tangible capital assets;
- Pension costs which comprise the cost of employer contributions for current services of employees during the year; and
- Valuation adjustments which represent the change in management's estimate of future payments arising from obligations relating to vacation pay.

Incurred by Others

Services contributed by other entities in support of the Office's operations are disclosed in Schedule 2.

NOTE 3 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES AND REPORTING PRACTICES (continued)

b) Basis of Financial Reporting (continued)

Assets

Financial assets of the Office are limited to financial claims, such as receivables from other organizations.

Tangible capital assets of the Office are recorded at historical cost and are amortized on a straight-line basis, over the estimated useful lives of the assets. The threshold for tangible capital assets is $5,000.

Liabilities

Liabilities are recorded to the extent that they represent present obligations as a result of events and transactions occurring prior to the end of the fiscal year. The settlement of liabilities will result in sacrifice of economic benefits in the future.

Net Liabilities

Net liabilities represents the difference between the carrying value of assets held by the Office and its liabilities.

Valuation of Financial Assets and Liabilities

Fair value is the amount of consideration agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

The fair values of accounts receivable, accounts payable and accrued liabilities are estimated to approximate their carrying values because of the short term nature of these instruments.

NOTE 4 TANGIBLE CAPITAL ASSETS

	Office equipment and furniture	Computer hardware and software	2008 Total	2007 Total
Estimated Useful Life	10 years	3 years		
Historical Cost				
Beginning of Year	$ 322,108	$ 480,530	$ 802,638	$ 830,555
Additions	-	6,566	6,566	9,807
Disposals, Including Write-Downs	-	(111,066)	(111,066)	(37,724)
	$ 322,108	$ 376,030	$ 698,138	$ 802,638
Accumulated Amortization				
Beginning of Year	182,990	455,106	638,096	598,118
Amortization Expense	30,215	23,311	53,526	76,294
Effect of Disposals	-	(111,066)	(111,066)	(36,316)
	$ 213,205	$ 367,351	$ 580,556	$ 638,096
Net Book Value at March 31, 2008	$ 108,903	$ 8,679	$ 117,582	
Net Book Value at March 31, 2007	$ 139,118	$ 25,424		$ 164,542

NOTE 5 DEFINED BENEFIT PLANS

The Office participates in the multiemployer pension plans, Management Employees Pension Plan and Public Service Pension Plan. The Office also participates in the multiemployer Supplementary Retirement Plan for Public Service Managers. The expense for these pension plans is equivalent to the annual contributions of $400,236 for the year ending March 31, 2008 (2007 – $422,438).

At December 31, 2007, the Management Employees Pension Plan reported a deficiency of $84,341,000 (2006 – $6,765,000) and the Public Service Pension Plan reported a deficiency of $92,070,000 (2006 surplus – $153,024,000). At December 31, 2007, the Supplementary Retirement Plan for Public Service Managers had a surplus of $1,510,000 (2006 – $3,698,000).

The Office also participates in a multiemployer Long Term Disability Income Continuance Plan. At March 31, 2008, the Management, Opted Out and Excluded Plan reported an actuarial surplus of $7,874,000 (2007 – $10,148,000). The expense for this plan is limited to employer's annual contributions for the year.

NOTE 6 CONTRACTUAL OBLIGATIONS

	2008	2007
Service Contracts	$ 26,943	$ -
Long-term Leases	817	9,246
	$ 27,760	$ 9,246

The aggregate amounts payable for the unexpired terms of these contractual obligations are as follows:

	Service Contracts	Long-term Leases	Total
2009	$ 17,724	$ 467	$ 18,191
2010	9,219	350	9,569
	$ 26,943	$ 817	$ 27,760

NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED MARCH 31, 2008

NOTE 7 RELATED PARTY TRANSACTIONS

The Office of the Information and Privacy Commissioner receives administrative services from the Office of the Ethics Commissioner. Supplies and Services from Support Arrangements with Related Parties, in the amount of $1,293 is included with voted expenses.

The Office of the Information and Privacy Commissioner provides financial and information technology services to the Office of the Ethics Commissioner. Recovery from Support Service Arrangements with Related Parties, in the amount of $21,135 is disclosed as a recovery of expenses.

NOTE 8 COMPARATIVE FIGURES

Certain 2007 figures have been reclassified to conform to the 2008 presentation.

NOTE 9 APPROVAL OF FINANCIAL STATEMENTS

These financial statements were approved by the Information and Privacy Commissioner.

Office of the Information and Privacy Commissioner

SALARY AND BENEFITS DISCLOSURE
YEAR ENDED MARCH 31, 2008

Schedule 1

	2008				2007
	Base Salary [1]	Other Cash Benefits [2]	Other Non-cash Benefits [3]	Total	Total
Senior Official Information and Privacy Commissioner [4]	$ 188,820	$ -	$ 49,888	$ 238,708	$ 222,653

Prepared in accordance with Treasury Board Directive 12/98 as amended.

[1] Base salary includes regular base pay.

[2] Other cash benefits include vacation payments, overtime and lump sum payments.

[3] Other non-cash benefits include the government's share of all employee benefits and contributions or payments made on behalf of employee, including pension, health care, dental coverage, group life insurance, short and long term disability plans, professional memberships and tuition fees (as applicable).

[4] Automobile provided, no dollar amount included in other non-cash benefits.

Office of the Information and Privacy Commissioner

ALLOCATED COSTS
YEAR ENDED MARCH 31, 2008

Schedule 2

	2008						2007
		Expenses - Incurred by Others		Valuation Adjustments[4]			
Program	Expenses[1]	Accommodation Costs[2]	Telephone Costs[3]	Vacation Pay	Doubtful Accounts	Total Expenses	Total Expenses
Operations	$ 4,771,309	$ 289,886	$ 16,974	$ 12,705	$ 947	$ 5,091,821	$ 4,714,579

[1] Expenses - Directly Incurred as per Statement of Operations, excluding valuation adjustments.

[2] Costs shown for Accommodation (includes grants in lieu of taxes) is allocated by square footage.

[3] Costs shown for Telephone is the line charge for all phone numbers.

[4] Valuation Adjustments as per Statement of Operations.

Office of the Information and Privacy Commissioner

APPENDICES

APPENDIX A: CASES OPENED 2007-2008 FISCAL YEAR BY PUBLIC BODY, CUSTODIAN AND ORGANIZATION TYPE

STATISTICS ARE FROM THE PERIOD OF APRIL 1, 2007 TO MARCH 31, 2008

	Advice and Direction	Authorization to Disregard Request	Complaint	Excuse Fees	Investigation Generated by Commissioner	Offense Investigation	Privacy Impact Assessments	Request for Information	Request for Review	Request for Review 3rd Party	Request Time Extension	Self-reported Breach	Total
FOIP Public Body Type													
Boards	0	0	12	0	1	0	0	1	13	1	4	0	32
Child and Family Service Authorities	0	0	6	0	1	0	1	0	1	0	0	0	9
Colleges	0	0	3	0	1	0	1	0	1	0	0	6	12
Crown Corporation	0	1	0	0	0	0	0	0	0	0	0	0	1
Government Ministries/ Departments	0	4	20	1	4	0	10	26	64	5	9	2	145
Independent Agency	0	0	0	0	0	0	0	1	0	0	0	0	1
Law Enforcement Agencies	3	0	8	0	0	0	0	2	38	0	2	0	53
Local Government Bodies	0	0	4	0	1	0	0	0	0	0	0	1	6
Municipalities	0	0	12	1	0	0	1	6	29	2	2	3	56
Premier's Office	0	0	0	0	0	0	0	1	1	0	0	0	2
Regional Health Authorities	0	0	6	0	1	0	10	2	10	0	1	1	31
School Districts	0	2	14	0	1	0	0	1	10	0	1	2	31
Universities	0	0	1	0	1	0	3	1	6	0	1	3	16
*Other	0	0	7	0	0	0	0	1	6	0	0	1	15
Total	**3**	**7**	**93**	**2**	**11**	**0**	**26**	**42**	**179**	**8**	**20**	**19**	**410**

*Public Body types identified as "Other" category include: Committees, Long Term Care Centre Federal Departments, Foundations, Hospital Boards, Regional Districts, Societies and Tribunals.

HIA Custodian Type													
Alberta Health and Wellness	0	0	3	0	2	0	9	5	0	0	0	15	34
Custodians Pursuant to the Regulations	0	0	0	0	0	0	5	0	0	0	0	1	6
Long Term Care Facilities	0	0	1	0	0	0	15	1	2	0	0	3	22
Pharmacists/Pharmacists	0	0	2	0	0	0	66	0	0	0	0	1	69
Physicians	0	0	4	0	11	0	68	4	15	0	0	4	107
Provincial Boards	0	0	2	0	1	0	5	2	0	0	0	1	11
Regional Health Authorities	0	0	15	0	8	0	98	11	14	0	0	10	146
Subsidiary Health Corporation	0	0	0	0	0	0	9	0	0	0	0	0	9
*Other Custodians	0	0	1	0	1	0	4	4	0	0	0	2	12
Total	**0**	**0**	**28**	**0**	**23**	**0**	**270**	**27**	**31**	**0**	**0**	**37**	**416**

*Custodian types identified as "Other" category include: Community Health Councils, Chiropractors, Dental Mechanics, Dental Surgeons, Opticians, Optometrists, Osteopaths, Podiatrists and Subsidiary Health Corporations.

PIPA Organization Type													
Accommodation & Food Services	0	0	5	0	1	0	0	0	4	0	0	1	11
Admin & Support Services	0	0	15	0	0	0	0	0	1	0	0	1	17
Construction	0	0	5	0	0	0	0	0	0	0	0	0	5
Educational Services	0	0	2	0	0	0	0	0	0	0	0	0	2
Finance	0	0	12	0	0	0	0	0	3	0	0	3	18
Private Healthcare & Social Assistance	0	0	17	0	3	0	0	1	8	0	0	3	32
Information & Cultural Industries	0	0	3	0	1	0	0	0	0	0	0	0	4
Insurance Industry	0	0	11	0	0	0	0	0	4	0	0	0	15
Manufacturing	0	0	8	0	2	0	0	0	3	0	0	0	13
Mining, Oil & Gas	0	0	11	0	0	0	0	0	6	0	0	0	17
Professional, Scientific & Technical	0	0	14	1	1	0	0	0	6	0	0	1	23
Public Administration	0	0	3	0	0	0	0	0	0	0	0	0	3
Real Estate, Rental, Leasing	0	0	18	1	1	0	0	0	1	0	0	1	22
Retail	0	0	32	0	4	0	0	0	7	0	0	1	44
Transportation	0	0	4	0	0	0	0	0	0	0	0	0	4
Utilities	0	0	4	0	0	0	0	0	1	0	0	0	5
Wholesale Trade	0	0	5	0	0	0	0	0	5	0	0	0	10
Arts, Entertainment & Recreation	0	0	8	0	0	0	0	0	1	0	0	1	10
*Other Services	0	1	26	0	2	0	0	0	10	0	0	3	42
Total	**0**	**1**	**203**	**2**	**15**	**0**	**0**	**1**	**60**	**0**	**0**	**15**	**297**

*Other Services include repair, personal care, beauty shops, unions, parking lots, religious organizations, business associations, political organizations, professional regulatory organizations, courier services, agricultural companies and condo boards.

APPENDIX B: CASES CLOSED 2007-2008 FISCAL YEAR BY PUBLIC BODY, CUSTODIAN AND ORGANIZATION TYPE

STATISTICS ARE FROM THE PERIOD OF APRIL 1, 2007 TO MARCH 31, 2008

	Advice and Direction	Authorization to Disregard Request	Complaint	Excuse Fees	Investigation Generated by Commissioner	Offense Investigation	Privacy Impact Assessments	Request for Information	Request for Review	Request for Review 3rd Party	Request Time Extension	Self-reported Breach	Total
FOIP Public Body Type													
Boards	0	0	18	0	1	0	0	1	5	1	4	0	30
Child and Family Service Authorities	0	0	3	0	1	0	0	0	2	0	0	0	6
Colleges	0	0	3	0	0	0	0	0	2	0	0	4	9
Commissions	1	0	0	0	0	0	0	0	4	0	0	1	6
Crown Corporation	0	1	0	0	0	0	0	0	0	0	0	0	1
Government Ministries/ Departments	0	3	27	4	3	1	11	26	72	1	8	2	158
Independent Agency	0	0	0	0	0	0	0	1	0	0	0	0	1
Law Enforcement Agencies	0	0	16	0	1	0	0	3	46	0	4	0	70
Local Government Bodies	0	0	4	0	0	0	0	0	1	0	0	1	6
Municipalities	0	0	15	1	0	0	1	7	34	3	0	3	64
Premier's Office	0	0	0	0	0	0	0	1	2	0	0	0	3
Regional Health Authorities	0	0	8	1	1	0	8	1	10	0	1	1	31
School Districts	0	0	8	0	1	0	0	1	14	0	1	1	26
Universities	0	0	2	0	0	0	2	1	8	1	1	1	16
*Other	0	0	5	0	0	0	1	1	2	0	0	0	9
Total	**1**	**4**	**109**	**6**	**8**	**1**	**23**	**43**	**202**	**6**	**19**	**14**	**436**

*Public Body types identified as "Other" category include: Committees, Long Term Care Centre Federal Departments, Foundations, Hospital Boards, Regional Districts, Societies and Tribunals

HIA Custodian Type													
Alberta Health and Wellness	0	0	1	0	3	0	4	5	0	0	0	4	17
Custodians Pursuant to the Regulations	0	0	0	0	2	0	1	4	0	0	0	1	8
Long Term Care Facilities (LTCC)	0	0	1	0	0	0	13	1	1	0	0	3	19
Pharmacies/Pharmacists	0	0	4	0	0	0	44	2	0	0	0	1	51
Physicians	0	0	6	0	5	0	69	4	9	0	0	2	95
Provincial Boards	0	0	1	0	1	0	6	3	0	0	0	1	12
Regional Health Authorities	1	0	14	0	7	0	94	11	13	0	0	5	135
Subsidiary Health Corporation	0	0	0	0	0	0	1	0	0	0	0	0	1
*Other Custodians	0	0	0	0	1	0	4	1	0	0	0	2	8
Total	**1**	**0**	**27**	**0**	**19**	**0**	**226**	**31**	**23**	**0**	**0**	**19**	**346**

*Custodian types identified as "Other" category include: Community Health Councils, Chiropractors, Dental Mechanics, Dental Surgeons, Opticians, Optometrists, Osteopaths and Podiatrists

PIPA Organization Type													
Accommodation & Food Services	0	0	8	0	0	0	0	0	4	0	0	1	13
Admin & Support Services	0	0	12	0	0	0	0	0	0	0	0	3	15
Construction	0	0	5	0	0	0	0	0	0	0	0	0	5
Educational Services	0	0	4	0	0	0	0	0	0	0	0	0	4
Finance	0	0	8	0	0	0	0	0	3	0	0	4	15
Private Healthcare & Social Assistance	0	0	17	0	2	0	0	1	10	0	0	3	33
Information & Cultural Industries	0	0	2	0	0	0	0	0	1	0	0	0	3
Insurance Industry	0	0	10	0	0	0	0	0	3	0	0	1	14
Manufacturing	0	0	8	0	2	0	0	0	3	0	0	0	13
Mining, Oil & Gas	0	0	10	0	0	0	0	0	6	0	0	0	16
Professional, Scientific & Technical	0	0	12	0	0	0	0	0	7	0	0	1	20
Public Administration	0	0	1	0	1	0	0	0	0	0	0	0	2
Real Estate, Rental, Leasing	0	0	20	1	1	0	0	0	1	0	0	1	24
Retail	0	0	23	0	2	0	0	0	5	0	0	3	33
Transportation	0	0	2	0	1	0	0	0	1	0	0	0	4
Utilities	0	0	3	0	0	0	0	0	1	0	0	0	4
Wholesale Trade	0	0	7	0	0	0	0	0	5	0	0	0	12
Arts, Entertainment & Recreation	0	0	6	0	0	0	0	0	2	0	0	1	9
*Other Services	0	0	30	0	0	0	0	0	12	0	0	3	45
Total	**0**	**0**	**188**	**1**	**9**	**0**	**0**	**1**	**64**	**0**	**0**	**21**	**284**

*Other Services include repair, personal care, beauty shops, unions, parking lots, religious organizations, business associations, political organizations, professional regulatory organizations, courier services, agricultural companies and condo boards.

APPENDIX C: ORDERS AND PUBLIC INVESTIGATION REPORTS ISSUED

ALL STATISTICS ARE FROM THE PERIOD APRIL 1, 2007 TO MARCH 31, 2008

	Orders	Public Investigation Reports	Total
FOIP Public Body			
Alberta Energy and Utilities Board	1	1	2
Alberta Environment	1	0	1
Alberta Executive Council	1	0	1
Alberta Finance	1	0	1
Alberta Infrastructure and Transportation	2	1	3
Alberta Justice/Justice and Attorney General	5	0	5
Alberta Securities Commission	2	0	2
Alberta Solicitor General and Public Security	1	0	1
Alberta Sustainable Resource Development	1	0	1
Calgary and Area Child and Family Services Authority	1		1
Calgary Health Region	1	0	1
Calgary Police Service	2	1	3
Capital Health	2	0	2
City of Edmonton	2	0	2
Edmonton Police Commission	2	0	2
Edmonton Police Service	15	0	15
Edmonton Public School Board	1	0	1
Greater Southern Separate Catholic Francophone Education Region #4	1	0	1
Human Resources and Employment	1	0	1
International & Intergovernmental Relations	1	0	1
Medicine Hat Police Service	1	0	1
Town of Lamont	1	0	1
University of Alberta	2	0	2
University of Calgary	1	0	1
University of Calgary and University of Alberta*	1	0	1
Workers' Compensation Board	1	0	1
Sub-total	**51**	**3**	**54**
HIA Custodian			
Alberta Health & Wellness	1	0	1
Calgary Health Region	1	0	1
Capital Health	0	1	1
David Thompson Health Region	0	1	1
Dr. Barry Lycka	3	0	3
Health Quality Council of Alberta	0	1	1
Drug Store Pharmacy, Real Canadian Superstore	1	0	1
Sub-total	**6**	**3**	**9**
PIPA organization			
Alberta Association of Registered Occupational Therapists	1	0	1
Alberta Motor Association Insurance Company	0	1	1
Alberta Teacher's Association	1	0	1
Alberta Treasury Branches	1	0	1
Barbara Schoptytiki, Chartered Psychologist	1	0	1
Bistro Enterprises	1	0	1
Bumsweet Corporation	1	0	1
Canadian Skin Cancer Foundation	4	0	4
DATEC Occupational Health Services	1	0	1
DeVry Canada LLC (DeVry Institute of Technology)	0	1	1
Dr. Barry Lyka Professional Corporation	1	0	1
Douglas Homes	1	0	1
Drug Store Pharmacy, Real Canadian Superstore	1	0	1
Ener Inc. (Cash Converters)	1	0	1
Endorredogio Centro Corporation	1	0	1
EPCOR Utilities Inc.	0	1	1
George Byrna Real Estate Team	1	0	1
Heating Conservation Consultants Ltd.	0	1	1
Home Depot	1	0	1
International Stores/Wells Fargo	1	0	1
Iron Mountain	1	0	1
Nor Don Collection Network	1	0	1
Penny Lane Entertainment/Tantra Nightclub	1	0	1
Point Centre	1	0	1
TJX Companies Inc./Winners Marchants International LP	0	1	1
Ticketmaster Canada Ltd.	0	1	1
United Food & Commercial Workers, Local 401	1	0	1
Sub-total	**24**	**6**	**30**
Total	**81**	**12**	**93**

FOIP Orders: 51 (57 cases)
HIA Orders: 6 (6 cases)
PIPA Orders: 24 (25 cases)

Note: Cases with one issue number covering more than one public body or organization are counted as one order, as are cases involving more than one order. A number is counted according to the number of case numbers noted on the order.
Note: Some orders on the Report Number - years assigned to more than one case.
Note: Orders are recorded by the date the Order was signed, either from the date the Order was publicly released.
NOTE: Under the legislation, only certain cases types can proceed to inquiry if the matters are not resolved at mediation/investigation. The above statistics are those case types that can proceed to inquiry (request for review and complaints filed).

Please refer to Tables 1 and 2 and Appendices A and B for total cases opened and closed.
A copy of all Orders and Investigation Reports are available on the Office's web site www.oipc.ab.ca

APPENDIX D: ACCEPTED PRIVACY IMPACT ASSESSMENTS BY PUBLIC BODY AND CUSTODIAN TYPE: 2007 - 2008

ALL STATISTICS ARE FOR THE PERIOD OF APRIL 1, 2007 - MARCH 31, 2008

Public Body	PIA Title
Ministry/Department	
Alberta Children's Services	Video Conferencing Initiative Child and Family Consultation and Assessment Sessions
	Legal Representation for Children and Youth
	Drug-endangered Children Act
	Criminal Record Check for Child Care Certification
Alberta Employment, Immigration & Industry	Information Sharing Training Initiative
	Surveillance Camera, Bow Corridor Office, Canmore, Alberta
	Surveillance Camera, Calgary North - One Executive Place
Alberta Health and Wellness	Alberta Justice - Claims and Recovery
	Alberta Justice - Maintenance Enforcement Program
	Management of Duplicative Claims Submitted to the Workers Compensation Board (WCB) and Alberta Health and Wellness
	First Addendum for the Electrons Alberta
Municipalities	
City of Grande Prairie	Crime Reduction Surveillance Camera Project
Regional Health Authorities	
Calgary Health Region	Acute Care Video Recording on Closed Circuit Television
	ProLaw
	ZEAG Parking Management Solution
Capital Health	Shared Services - Employee Expense Claims
Chinook Health	Electronic Payroll Deposit Notice
	Electronic Transfer of Payroll Funds
David Thompson Health Region	Video Conference Consultation and Follow up to Rural Albertans
Post-Secondaries	
University of Calgary	Organizational PIA
Other	
Personnel Administration Office	Long Term Disability Income Continuance Plan

Custodian	PIA Title
Regional Health Authorities (RHA)	
Aspen Regional Health	Cardiac Event Monitoring
	Glucose Meters
	Aspen Primary Care Network
	Web-based Multi-User Exercise Prescription Program
	Telehealth Project
	Alberta Provincial Stroke Strategy
Calgary Health Region	Calgary West Central Primary Care Network
	Topcon Imagenet 2000
	Patient Care Information System (PCIC)/Clinibase Phases 2 and 3
	Provincial Health Information Exchange
	Image Database
	Collaborative Care Mental Health Program
	Regional Accounts Receivable System
	Enterprise Data Warehouse
	Alberta Provincial Stroke Strategy
	Community Care Information System Phase 1b
	Community Care Information System Phase 2c
	Clinical Activity Reporting Application
	Safety Learning Reporting System
	Calgary West Central Primary Care Network - Amendment
	Community Care Information System Phase 2a, 2b
	Community Care Information System Phase 2c - Amendment
	ProLaw
	HEPAC - Regional Emergency Patient Access and Coordination
	GRIDLOCC (Getting Rid of Inappropriate Delays that Limit Our Capacity to Care)
Capital Health	Western Canadian Children's Heart Network Database
	Complementary and Alternative Research and Education (CARE) Program Pediatric Integrative Medicine (PIM) Clinic Database Stollery Children's Hospital
	Clinical Information System (CIS) Medication Management Pharmacy System Project
	CoPathPlus Anatomical Pathology Laboratory Information Systems
	Strathcona County Emergency Services Data Matching Pilot Project
	Westview Primary Care Network
	Shared Care Maternity Family Practice Registry Project
	After Hours Clinic Electronic Medical Record Implementation Project
	Capital Health Pilot Project - Implementation of TELUS HomeSitter in the Independent Living Suite at the Glenrose Rehabilitation Hospital
	Capital Health/City of Edmonton Emergency Medical Services Data Matching Project

APPENDIX D: ACCEPTED PRIVACY IMPACT ASSESSMENTS BY PUBLIC BODY AND CUSTODIAN TYPE: 2007 - 2008

ALL STATISTICS ARE FOR THE PERIOD OF APRIL 1, 2007 - MARCH 31, 2008

Custodian	PIA Title
Regional Health Authorities (RHA) (continued)	
Capital Health (continued)	Edmonton North Primary Care Network
	Sherwood Park - Strathcona County Primary C... y Network
	Chronic Disease Management Primary Care Network Joint Project
	Alberta Provincial Stroke Strategy
	netCARE (Electronic Health Record Clinical Portal) - Release 5 - Amendment #4
	Capital Health's Northern Alberta Renal Program - Nephrology Information System
	Capital Health netCARE (Electronic Health Record Clinical Portal) - Release 6, Amendment #5
	Regional Nutrition and Food Services Food Processor SQL Upgrade
	Capital Health Link Pharmacist Line (CHL PL)
	Pixalere Wound Management System - Admendment #2
	Amendment to the "Post Pilot Implementation Update, Chronic Disease Management - Primary Care Network Project"
Chinook Health Region	CBORD's Nutrition Services Suite and MEDITECH
	Alberta Provincial Stroke Strategy
	Single Sign-On and Biometrics
David Thompson Health Region	Picture Archival and Communication System (PACS)
	Reporting Services - Payroll Detail
	Tapping Our Potential
	Alberta Provincial Stroke Strategy
	Clinical Breast Health Project
	David Thompson Health Region - Red Deer Primary Care Network
	Update to the David Thompson Health Region Organizational Privacy Management PIA Part A
	Pediatric Video Conference Consultation and Follow up to Rural Albertans
East Central Health	Viareta Harmony Digital Dictation System
	Hyena
	Digital Electrocardiogram System (Rapid Read ECG System)
	Pro-Risk Monitor Incident Reporting System
	Telehealth - Clinical Application
	Centralized Pharmaceutical Packaging
	Alberta Provincial Stroke Strategy
Northern Lights Health Region	Remote Transcription Services
	Incident Management System
	Alberta Provincial Stroke Strategy
	CBORD Nutrition and Food Services Software/System with a Meditech Interface
	Resubmission of Section "A" Amendment
Palliser Health Region	Palliser Urban Primary Care Network
	Pro-Risk Monitor Incident Reporting System
	Alberta Provincial Stroke Strategy
Peace Country Health	West Peace Primary Care Network
	Alberta Provincial Stroke Strategy
	Peace River Primary Care Network
	Sexsmith Primary Care Network
	Grande Cache Primary Care Network
Physicians	
Dr. Allen Ausford	Registering our Clinic's Diabetic Patient List with the Capital Health Regional Chronic Disease Diabetic Registry
Dr. Amin Pisani, Ian A. Turguson, Dr. Curt W. Johnston, Dr. Darren M. Markland	Clinic Electronic Medical Record Implementation and NetCare Provincial EHR Access
Dr. Andrew Dottridge, Dr. Kim Frivers, Dr. Heidi Foll	Physican Office System Program
Dr. Anton Burgh	Physican Office System Program
Dr. Ayobami Oyebode	Physican Office System Program
Dr. Ayobami Oyebode	Clinic Electronic Medical Record Implementation and NetCare Provincial EHR Access
Dr. Brad J. Hinz	Physican Office System Program
Dr. Colette Vorwerk	Physican Office System Program
Dr. D. N. Todoruk	Physican Office System Program
Dr. Darshan Pandhar	Physican Office System Program
Dr. Darshan Pandhar	Radiology Information System (RIS)
Dr. Darshan Pandhar	Picture Archival Communication System (PACS)
Dr. David C. Edwards	Access to Alberta Netcare Portal 2006
Dr. David C. Stewart	Physican Office System Program
Dr. David C. Stewart	Wiresless Networking
Dr. Denis R.J. Vincent	Physican Office System Program
Dr. Edward Donga	Physican Office System Program
Dr. Elizabeth A. Votsch, Dr. Taryn Baise, Dr. Sandra Hobbs, Dr. Stanley Mah, Dr. M. Allison Thuman	Transition from Capital Health Netcare to AB Netcare
Dr. Gian Orbani	Physican Office System Program
Dr. Gordon Bailey	Physican Office System Program
Dr. Grant Davies	Physican Office System Program
Dr. Ian Forster	Physican Office System Program
Dr. Ian Forster	Practice Management Software
Dr. Idowu Akinjise	Physican Office System Program

APPENDIX D: ACCEPTED PRIVACY IMPACT ASSESSMENTS BY PUBLIC BODY AND CUSTODIAN TYPE: 2007 - 2008

ALL STATISTICS ARE FOR THE PERIOD OF APRIL 1, 2007 - MARCH 31, 2008

Custodian	PIA Title
Physicians	
Dr. J. Dirk Van der Borg	Access to Netcare (Regional and Provincial EHR Systems) and Clinical Education via Internet
Dr. Jacquie McCubbin	Access to Netcare (Regional and Provincial EHR Systems) and Clinical Education via Internet
Dr. Jacques Trollip	Stonegate Medical Clinic Electronic Medical Record
Dr. James McDonald	Physician Office System Program
Dr. Jane Ballantine, Dr. Mary Gawinski, Dr. Ni Ni Zaw Tun, Dr. Rudolf Zimmer	Physician Office System Program
Dr. Joffory Symyk	Physician Office System Program
Dr. Johannes C. Bouwer	Netcare Portal 2006
Dr. Johannes Meyer	Physician Office System Program
Dr. K. Duggan	Physician Office System Program
Dr. K. Ross Johnston	Access to netCARE (Regional and Provincial EHR Systems) and Clinical Education via Internet
Dr. Kathleen Game	Amendment to PIA - Wireless Network
Dr. Kumchand Algu	Physician Office System Program
Dr. Lesley Coulter	Physician Office System Program
Dr. Lloyd Boddington & Dr. Andrew Johnston	Physician Office System Program
Dr. M. Guhle	Physician Office System Program
Dr. Mahmood Nizam, Dr. Rafi Husain, Dr. Anne Sopanmaa-Lund	Physician Office System Program
Dr. Marsh Powell	AB Netcare
Dr. Margaret Anne Borger, Dr. Alexa Bertagnolli-Hansen, Dr. Tar Man Mo and Dr. Jennifer Hall	Access to Netcare (Regional and Provincial EHR Systems) and Clinical Education via Internet
Dr. Mariotte Fillion, Dr. Sandra Kavanagh	Access to Netcare (Regional and Provincial EHR Systems) and Clinical Education via Internet
Dr. Marina Sapozhnikov	Physician Office System Program
Dr. Mary Noiles	Physician Office System Program
Dr. Michael Coe	Organizational Privacy Management, Electronic Medical Record (EMR), Radiology Information System (RIS) and Picture Archival Communication Systems (PACS) Implementation Project
Dr. Michael Coe	Teleworking Initiative
Dr. Michael Geoghegan	Physician Office System Program
Dr. O. Joseph Doherty, Dr. Linda Anvari, Dr. Patrick Boyle, Dr. Julian Raphael	Physician Office System Program
Dr. Patrick Sung	Physician Office System Program
Dr. Preston Wiley	Patient Self Data Entry - Web Based
Dr. R. Mulder, Dr. R. C. Cooper, Dr. R. M. Hulyk, Dr. J. E. Hopfner, Dr. J. A. McIntyre, Dr. H. Edward Wiens, Dr. Jack Bromley, Dr. Bradley Greig, Dr. Maureen McCall, Dr. Mandy Hyde, Dr. B. D. Parrington, Dr. Susan C. Konynenbelt, Dr. S. A. Hovan, Dr. R. J. P. Mulder, Dr. Peter Mah, Dr. Jeffery D. Mulder, Dr. Charles G. Metcalfe, Dr. Marci Wilson, Dr. Lauraleo Dukeshire	Physician Office System Program
Dr. Randall McGinnis	Physician Office System Program
Dr. Robert L. Stubbs	Radiology Information System (RIS) Upgrade and Picture Archiving Communications System (PACS) Installation
Dr. Rohan Bissoondath	Physician Office System Program
Dr. Rohan Bissoondath	Wireless Access to Clinic EMR
Dr. Ronald Bridges	MediScribe
Dr. Russell G. Tull	Physician Office System Program
Dr. Sandra Morrison, Dr. Sandra Morrison, Dr. Mohamud Vergee, Dr. Wes Jackson, Dr. Sheri Lupul, Dr. Sandor Voros, Dr. Gertrud Voros, Dr. Adekunle Adegbulu, Dr. Ayesha Imran, Dr. Pawel Niemczewski, Dr. Elanio Desnoyers, Dr. Noordin Virani	Physician Office System Program
Dr. Sandra Morrison, Dr. Sandra Morrison, Dr. Mohamud Vergee, Dr. Wes Jackson, Dr. Sheri Lupul, Dr. Sandor Voros, Dr. Gertrud Voros, Dr. Adekunle Adegbulu, Dr. Ayesha Imran, Dr. Pawel Niemczewski, Dr. Elanio Desnoyers, Dr. Noordin Virani	Off-Site Transcription Services
Dr. S. Sengar, Dr. D. Kreutzer, Dr. B.Sood	Physician Office System Program
Dr. S. Sengar, Dr. D. Kreutzer, Dr. B.Sood	Wireless Access to Clinic EMR
Dr. Stephanie A. Mason, Dr. Lita Appavoo, Dr. Dianne Maiot, Dr. Lon Hogg, Dr. Henry Chuang, Dr. Christine Mason, Dr. Karen Tanguay	Physician Office System Program
Dr. Steven M. Edworthy, Dr. C. Symond, Dr. M. Abu-Hakima, Dr. Jeff Schaefer, Dr. Peter Sargious, Dr. Fatin Austin, Dr. Warren Davidson	Physician Office System Program
Dr. Thomas Kerfis	Implementation Wireless Technology
Provincial Boards	
Alberta Cancer Board	Canadian Breast Cancer Foundation - Alberta/NWT Chapter - Alberta Research Tumor Bank (ARTB)
	Enterprise Business Intelligence (EBI) Program
	Amendments to Psychosocial Distress Screening Program
	Cancer Surgery Alberta Program
	Alberta Colorectal Screening Program
	Comprehensive Breast Cancer Program Demonstration Project - Alberta Cancer Board in collaboration with Capital Health
Ministry	
Alberta Health & Wellness	Alberta Justice: Claims and Recovery
	Third Addendum to the Pharmaceutical Information Network
	First Addendum to the Electronic Alberta
	Management of Duplicative Claims Submitted to the Workers Compensation Board (WCB) and Alberta Health and Wellness (AHW)

APPENDIX D: ACCEPTED PRIVACY IMPACT ASSESSMENTS BY PUBLIC BODY AND CUSTODIAN TYPE: 2007 - 2008

ALL STATISTICS ARE FOR THE PERIOD OF APRIL 1, 2007 - MARCH 31, 2008

Custodian	PIA Title
Subsidiary Health Corporation	
St. Joseph's General Hospital	Alberta Provincial Stroke Strategy
Pharmacies/Pharmacists	
Allin Pharmacy	Alberta Netcare Portal 2006
Alpine Value Drug Mart	Wan Project
Anderson Drugs/The Medicine Shoppe #211	Alberta Netcare Portal 2006
Apple Drugs	Wan Project
Apple Drugs Vermilion	Wan Project
Athabasca Value Drug Mart	Wan Project
Boyle Value Drug Mart	Wan Project
Cardston Value Drug Mart	Wan Project
Castor Value Drug Mart	Wan Project
Coronation Value Drug Mart	Wan Project
Drayton Value Drug Mart	Wan Project
Forewest Holdings	Conversation of Software from Simplicity Plus to Knoll Software at Stettler Pharmasave 336
Fyfe's Friendly Value Drug Mart	Wan Project
Hanna Value Drug Mart	Wan Project
Hinton Hill Pharmacy Ltd	Alberta Netcare Portal 2006
King Value Drug Mart	Wan Project
Manna Mall Value Drug Mart	Wan Project
Health Select Pharmacy - St. Albert	Alberta Netcare Portal 2006
Health Select Pharmacy - Calgary	Alberta Netcare Portal 2006
Health Select Pharmacy Whitehorn	Alberta Netcare Portal 2006
Northern Lights I.D.A. Prescription Centre	Alberta Netcare Portal 2006
Olds Value Drug Mart	Wan Project
Peace River Value Drug Mart	Wan Project
Provost Value Drug Mart	Wan Project
Rimbey Value Drug Mart	Wan Project
Riverside Value Drug Mart	Wan Project
Sexsmith Pharmacy	Alberta Netcare Portal 2006
St. Paul Value Drug Mart	Wan Project
Strathmore Value Drug Mart	Wan Project
Telfer's Value Drug Mart	Wan Project
The Medicine Shoppe #109 - Peace River	Alberta Netcare Portal 2006
The Medicine Shoppe #153 - Brooks	Alberta Netcare Portal 2006
The Medicine Shoppe #184 - Barrhead	Alberta Netcare Portal 2006
Tri City Value Drug Mart	Wan Project
Value Drug Mart	Wan Project
Vegreville Value Drug Mart	Wan Project
Wainwright Value Drug Mart	Wan Project
Ward Value Drug Mart	Wan Project
Winter's Pharmacy	Alberta Netcare Portal 2006
Long Term Care Facilities	
Allen Gray Continuing Care Centre	Continuing Care Systems Project
Bethany Auxiliary Hospitals Board of Management	Alberta Provincial Stroke Strategy
Bethany Care Society	Minimum Data Set (MDS) 2.0
Capital Care	Information Supporting Care (ISC) and PointClickCare Admin Module (Financial - Billing and Trust Implementation)
Extendicare (Canada) Inc.	MDS
Extendicare (Canada) Inc.	Alberta Provincial Stroke Strategy
Father Lacombe Care Centre	RAI MDS 2.0 Implementation
Intercare Corporate Group Inc.	Minimum Data Set Assessment (MDS) using Wescom - PointClickCare Implementation
Lamont Health Care Centre	Alberta Provincial Stroke Strategy
Mary Immaculate Care Centre	Alberta Provincial Stroke Strategy
The Good Samaritan Society	Comprehensive Health Information Record Services and Systems
Wing Kut Care Centre	PointClickCare MDS 2.0 Implementation
Custodians Pursuant to the Regulations	
Optimed Software Corporation	Optimed Software - Clinicvault ASP
Physician Office System Program	Nightingale Electronic Medical Record & Practice Management System - ASP Provider
	EMIS

Privacy Impact Assessments are mandatory under the Health Information Act (HIA); they are not required under the Freedom of Information and Protection of Privacy Act (FOIP) or the Personal Information Protection Act (PIPA). For additional information regarding the above listed PIAs, please refer to the OIPC webpage at www.oipc.ab.ca.

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